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Shades of Grey: Constituencies, Electoral Incentives, and the President's Legislative Agenda

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Dedication

Dedicated to my family: Ellen, Emily, Karen, Kevin, Tom, and Buster.

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Shades of Grey: Constituencies, Electoral Incentives, and the President's Legislative Agenda

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This dissertation investigates how presidents build successful legislative coalitions and enact their agenda into law in the United States Congress. It argues that constituencies and electoral incentives cause members of Congress to respond to the president's agenda in a systematic manner. The president's strength in members' constituencies interacts with members' electoral incentives to determine whether members will vote for or against the president. The theoretical claims presented in this dissertation are supported by a combination of case studies and quantitative analysis. The empirical analysis utilizes a dataset with observations for every member of Congress from 1957 to the present. I find that constituency-level presidential strength causes systematic variance in members' response to the president's agenda. Vulnerable members of Congress are particularly sensitive to the president's strength in their constituencies, while safe members of Congress are a bit less attentive to their constituencies. These findings contribute to our understanding of American politics by showing that the president's ability to enact agenda items into law is affected by much more than mere party politics. This conclusion is especially relevant in the modern, polarized era in American politics.

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Chapter 1: Introduction

On July 22, 2009, during a nationally televised prime-time press conference a reporter asked President Obama if it was the president's job to "get a deal done" on a national health care reform bill. "Absolutely, it's my job. I'm the president. And I think this has to get done" Obama immediately responded (CQ Transcriptions 2009). The next day at a town hall meeting in Shaker Heights, Ohio the president forcefully reiterated his goals for Congress on health care reform. He abandoned his previously imposed August deadline for the passage of health care legislation, moving the deadline to the end of 2009. Still, he made it clear what he expected of Congress, proclaiming to the crowd: "I want the bill to get out of the committees; and then I want that bill to go to the floor; and then I want that bill to be reconciled between the House and the Senate; and then I want to sign a bill" (Kaiser Health News). On one of the potentially biggest changes to domestic policy in years, the president took responsibility for the bill's passage and set clear goals and deadlines for Congress.

President Obama's health care experience demonstrates that the president looms large as a legislative leader in today's political world. The president shares power with other legislative players such as party leaders and committee chairs, but he is clearly one of the most powerful players. In fact, he is now perhaps the most powerful player in the legislative arena. This situation is not exactly what the designers of the Constitution intended. While the Constitution gave the president some power in the legislative arena, the Founders did not foresee a future where the president led the legislature. To the

contrary, they worried often and openly that the Congress would usurp power and dominate the president (for example, see *Federalist*s 51 and 73). This fear of legislative dominance was unrealized. Instead, the American system evolved in a way that eventually empowered the president in the legislative arena.

The American president looms large as a legislative leader in today's political world. The president's participation in the legislative process is a fact of modern American political life. The president sets priorities for Congress, mediates compromise between different factions in Congress, and lobbies members to support his political agenda. The president's central problem is discerning how to build coalitions large enough to win political battles and ensure that his agenda items make it through the process and become law. This dissertation argues that members' constituencies and electoral incentives affect how they vote on presidential agenda items. The influence of constituency and electoral incentives causes systematic variation in members' propensity to support the president. Contrary to conventional wisdom, party politics is not the sole factor causing members to vote for, or against, the president's agenda. The president's strength in members' constituencies causes some members of the opposition party to vote for his agenda and some members of the president's party to oppose his agenda. Constituency-level presidential strength is an especially important influence on the voting behavior of electorally vulnerable members of Congress. If one does not understand the role that constituencies and electoral incentives play in member voting behavior on presidential agenda items, one cannot fully understand how presidents successfully enact their agenda into law.

PARTY-BASED THEORIES OF PRESIDENTIAL COALITION BUILDING

The relationship between Congress and the president lies at the heart of the American political system. All new laws must be passed by both chambers of Congress and signed by the president. The president's central goal in the legislative arena is to build coalitions large enough to win political battles and enact his agenda into law. When presidents try to enact their agenda items into law, they face what Bond and Fleisher (1990, 7) call "the legislative imperative," which requires presidents to build legislative coalitions large enough to enact their agenda into law.

Unfortunately for the president, the design of the American system often makes it difficult to achieve legislative success. The dominant theory of executive-legislative relations maintains that partisan support is the key to presidential success in Congress. Scholars, journalists, and citizens often argue that the president's ability to pass his agenda into law is primarily a function of his party's strength in Congress (Bond and Fleisher 1980 and 1990; Bond, Fleisher and Northup 1988; Edwards 1989 and 2009; Mouw and MacKuen 1992; Collier and Sullivan 1995; Litvan 2008; Clark 2010, Klein 2012). I use the phrase "party-based theories" or "party-based explanations" to refer to the conventional wisdom that presidential success in Congress is solely a function of how many seats the president's party controls in Congress.

Party-based theories of presidential coalition building lead Americans to believe that our politics are hopelessly divided, with members of Congress voting in lockstep with their parties on the most important issues of the day. Representative Jim Cooper (D-TN) recently summarized the prevailing view of executive-legislative relations in modern American politics when he stated: "We've effectively lost our Congress and gained a parliament…we have the extreme polarization of a parliament, with party-line voting, without the empowered Prime Minister" (Klein 2012). With such supposedly dismal

prospects of receiving votes from opposition party members, citizens, and scholars conclude that the president has no hope of building successful bipartisan or crosspartisan coalitions. Leading presidential scholar George Edwards recently summarized the president's only remaining legislative strategy according to party-based theories: "mobilizing those predisposed to support him and driving legislation through Congress on a party-line vote" (Klein 2012).

This dissertation argues that party-based theories, i.e. those theories that focus on party alone as the key to presidential success in Congress, must be revised for one very important reason – they are empirically incorrect. Presidents can almost never enact their agenda into law with votes from their congressional partisans alone. In addition to the support of their fellow congressional partisans, presidents almost always need votes from the other side of the aisle in order to pass legislation. This opposition party support is sometimes necessary to overcome defections from presidential party members, and other times necessary because the president's party holds an insufficient number of seats in Congress. In order to fully understand how presidents build legislative coalitions, we must understand why some members of Congress cross party lines on presidential agenda votes. When the president looks at Congress and considers how to build a successful enacting coalition, party-based theories contend that the president sees just blue Democrats and red Republicans. My argument maintains that the president sees red, blue, and shades of grey.

The disconnect between party-based theories and the more nuanced realities of presidential coalition building in Congress raises four important normative and theoretical questions. They also give rise to three puzzling empirical facts. In the following section, I discuss these four important questions and three puzzling facts.

FOUR MOTIVATING QUESTIONS

Normatively speaking, party-based theories of presidential coalition building present a rather dim picture of modern American politics. The first question that motivates my inquiry is whether members of Congress listen to their constituencies on the major issues of the day. In other words, do members of Congress care about what their constituents think? In any given Congress, there are dozens of what I refer to as "cross-pressured" members of Congress, which means that they are either members of the president's party who represent constituencies where the president is weak, or members of the opposition who represent constituencies where the president is strong.[1] If these members behave as strict partisans, with opposition party members voting against the president's agenda even though their constituents support the president and presidential party members voting for the president's agenda even though their constituents oppose the president, they would seem to be ignoring the political opinions of their constituents. In short, they would not be representing their constituents in Congress. Thus, party-based theories suggest that dozens of members of Congress do not live up to the normative ideal of representation in the American system.

The second question that motivates this study is whether the American people have any power in the policymaking process, above and beyond voting in elections. This question is closely related to the first. Party-based theories imply that if a constituency supports the president and wants his agenda enacted into law, it is necessary for them to also elect a presidential party member as their congressional representative. If they do otherwise and elect an opposition party member, party-based theories suggest that the

[1] While my measures change a bit throughout the study, the simplest way to define "weak" is as those constituencies where the president received less than 50 percent of the vote in the previous election. The simplest way to define "strong" is as those constitutes where the president received more than 50 percent of the vote in the previous election.

opposition party member will oppose the president's agenda. Thus, the people have no control in the policymaking process beyond electing members who either share the president's party label (if the constituency supports the president) or do not (if the constituency opposes the president). Furthermore, inquiry into what I call "the presidential popularity hypothesis" often finds that the president's approval plays little or no role in members' decision-making process on presidential agenda items. Some scholars go so far as to conclude that "presidential approval plays little role in presidential influence," (Collier and Sullivan 1995, 207) and "popular approval is irrelevant for presidential influence in Congress" (Mouw and MacKuen 1992, 596). If such studies are correct, they suggest that there is little representation or democratic accountability in the American system because members of Congress simply behave as partisan robots in regard to the president's agenda and pay no mind to the president's standing with the American people.

The third and fourth motivation questions that I seek to answer are more practical. The third question is how presidents enact their agenda. In short, how do presidents win legislative battles? Party-based theories would say that presidents win legislative battles when their party is in the majority and lose them otherwise. One problem with this prediction is that the president's party almost never enjoys large enough majorities to win legislative battles without opposition party votes. To do so, a party would need a majority in the House and a supermajority in the Senate in addition to controlling the presidency. Since the end of World War II, such an arrangement has occurred for only seven of the last sixty-seven years.[2] Presidents almost never enjoy large enough

[2] Democrats enjoyed a House majority, Senate supermajority, and control of the presidency in the 88th Congress (1963 – 1965), the 89th Congress (1965 – 1967), the 95th Congress (1977 – 1979), and part of the 111th Congress after Arlen Specter changed his party affiliation and before Scott Brown's election to fill Teddy Kennedy's seat (2010 – 2011). In practice, the divide between Northern and Southern Democrats limited the power of the Democratic supermajorities in the 88th and 89th Congresses.

congressional majorities to enact their agendas into law without votes from opposition party members. As we will see below, even when presidents do enjoy such large congressional majorities, they almost always end up needing opposition party votes anyways because some presidential party members' decide to vote against the president's agenda.

The fourth and final question is what type of members make up successful enacting coalitions on presidential agenda items. Again, many party-based theories have a simple answer: presidential party members, and presidential party members alone, help the president build successful enacting coalitions. Of course, party-based theories often do acknowledge that constituency influence causes some members to defect from their party caucus's position on presidential agenda votes. Unfortunately, the default explanation for such defection from the party caucus is "ideology" (see Bond and Fleisher 1990). Ideology cannot meaningfully explain presidential coalition building because the way political scientists currently understand ideology is endogenously linked to the formation of legislative coalitions.

The main problem with using "ideology" to explain congressional voting behavior is that our best measures of "ideology" are based on congressional voting behavior! Summarized voting scores such as NOMINATE cannot meaningfully measure members' ideology for two reasons. First, many votes in Congress are not ideological. Erikson, MacKuen, and Stimson (2002) find that about 38 percent of the important laws enacted between 1946 and 1991 cannot be classified using a simple liberal/conservative dichotomy. Using votes on issues without ideological content to measure ideology is a stretch, at best.

Second and most important, the use of NOMINATE scores conflates members' operative preferences, those that guide their voting behavior, with members' personal

preferences. Members' operative preferences are the result of not only their personal preferences, but also the influence of constituencies, presidents, party leaders, interest groups, and other political forces. Using summarized voting scores to measure personal ideology conflates members' ideology with all of these outside forces on their vote. Lee (2009) demonstrates that party politics structures most of the conflict in Congress. The behavior of members who switch their party affiliation during their time in Congress presents a compelling example of why summarized voting scores cannot capture the distinction between personal preferences and operative preferences. A number of studies find that members who switch parties vote very differently after the switch (Nokken 2000; McCarty, Poole, and Rosenthal 2001). Furthermore, a vast and rich literature exists on constituency influence on members' votes. Simply put, it is impossible to untangle members' personal preferences from their operative preferences. As a result, ideology-based explanations of presidential coalition building do not tell us much other than some members of Congress vote against their party caucus's position on presidential agenda items. This study asks why these members choose to vote against their party on presidential agenda votes.

THREE PUZZLING EMPIRICAL FACTS

The answers that party-based theories provide to the first two motivating questions are troubling because they suggest a lack of representation, democratic accountability, and citizen control at some levels in the American system. At the same time, we cannot reject theories just because they do not paint a rosy picture of reality. If the empirical answers to the third and fourth questions are correct, i.e. if presidents can enact bills on the strength of votes from members of their party alone and if presidential

party members are the sole members of enacting coalitions, we must accept the answers provided by party-based theories no matter how troubling they may be.

An investigation into the passage of some of the most important bills in modern American politics presents a puzzling empirical fact if we rely on party-based theories of presidential coalition building. The president almost always needs votes from opposition party members in order to enact major agenda items into law. Contrary to the expectations of party-based theories of presidential coalition building, presidents can almost never enact major agenda items on the strength of votes from their party members alone. Table 1.1 displays the 28 pieces of "landmark legislation" enacted by Congress from 1957 to 2007, as defined by Mayhew in *Divided We Govern* (Mayhew 2005). With the exception of the War Powers Resolution, every piece of landmark legislation is a presidential agenda item. Twenty-six of these twenty-seven landmark presidential agenda bills could not have become law without opposition party votes. In each of these twenty-six cases, a number of presidential party members voted against the president's proposal. As a result, the president did not have enough votes from his party members to enact historically important legislation into law. In order to pass these twenty-six historically important pieces of landmark legislation, the president needed support from opposition party members to offset "nay" votes from presidential party members.

The president was involved in the passage of every major law in modern American politics, and only once could he enact his preferred policy into law without votes from opposition party members. In every other instance, votes from presidential party members alone were not enough to enact the president's agenda into law. The combination of constituency influence and electoral incentives explains both why members of the president's party voted against his position on these historically

important votes, and why members of the opposition party voted with the president and enabled him to pass landmark legislation into law.

The second empirical puzzle presented by party-based theories is why presidential success rates vary within congresses. In any given Congress, the partisan composition of both chambers remains relatively stable, but the president's legislative success rate may vary substantially between the 1st and 2nd sessions of that particular Congress. For example, consider President Lyndon Baines Johnson's experience during the 89th Congress. According to *Congressional Quarterly*, LBJ enjoyed tremendous legislative success in 1965 as he made 469 legislative requests and Congress granted 323 of them (68.9 percent). In the following year, President Johnson made 371 requests and Congress granted 207 of these requests (55.8 percent). In the same Congress, with the same amount of partisan strength in both chambers, Johnson's success rate dropped by 13 percent and Congress enacted 116 fewer of his legislative requests. This variance in legislative success within a particular congress is not unusual, it is the norm. Party-based theories cannot account for such variation in the president's relationship with Congress, an empirical fact of legislative life.

The similar legislative success rates of presidents in both unified and divided government, as well as the empirical fact that some divided government presidents had greater legislative success than unified government presidents, is the third empirical puzzle posed if we use party-based theories to explain presidential coalition building. Consider Richard Nixon in the 91st Congress (1969 – 1970) and Jimmy Carter in the 96th Congress (1978 – 1979). In both congresses, Democrats held 58 seats in the Senate. In the House, Carter had large Democratic advantage in the 96th Congress (277 to 158), while Nixon faced a large Democratic majority in the 91st Congress (243 to 192). Yet in both the 91st and the 96th Congress, the president had a legislative success rate of around

77 percent! Such a similar legislative success rate in Carter's unified government and Nixon's divided government presents a third empirical puzzle.

INVESTIGATING HOW CONSTITUENCIES AND ELECTORAL INCENTIVES AFFECT PRESIDENTIAL COALITION BUILDING

The evidence from Table 1.1 suggests that party-based theories, alone, do not accurately explain the enacting coalitions that formed to pass over 96 percent of the most important pieces of legislation in modern American history. Party-based theories of executive-legislative relations are prominent in political science for a good reason: presidential party members usually make up the majority of members in the president's legislative coalition. The problem is that a focus on party alone causes observers to miss three important facts about presidential coalition building. First, some members do defect from their party caucus on presidential agenda votes. Second, these defections are not random. Third, these defections are substantively meaningful because most major pieces of legislation proposed by the president require some support from opposition party members to become law.

Members of Congress regularly cross party lines on presidential agenda items. Understanding why members defect from their party caucus is vitally important to understanding the relationship between Congress, the president, and the American people. This dissertation argues that in order to fully understand how presidents build legislative coalitions, it is necessary to understand how constituency influence and electoral incentives affect members' voting behavior. Edwards is right that the president needs to focus on those "predisposed to support him," but it is not only party politics that make members predisposed to support the president. In fact, some members of the president's party are predisposed to oppose his policies, while some members of the

opposite party are predisposed to support them. I argue that constituency influence and electoral incentives make some members of the president's party predisposed to vote against his agenda, and some members of the opposition party predisposed to support the president's agenda. The president's strength in members' constituencies causes systematic variation in members' voting behavior on presidential agenda items. Electorally vulnerable members of Congress are particularly sensitive to the president's standing in their constituencies and vote accordingly, while electorally safe members of Congress have greater freedom in their voting behavior.

In the following chapters, I outline how the president came to play such a large legislative role, develop three hypotheses about how constituencies and electoral incentives systematically affect member voting behavior on the president's agenda, and test these hypotheses through both large-N quantitative analysis and case studies. Chapter 2 argues that the Constitution, formal changes to both the law and the presidential selection process, and informal presidential precedents all combined to cause the president to become a legislative leader. Chapter 3 presents an argument about presidential decision-making, congressional decision-making, and citizen decision-making. This argument is based a micro-level conceptual framework that explains how members of Congress decide how to vote on presidential agenda items. This micro-level argument explaining the votes of individual members of Congress has macro-level consequences because it explains the types of coalitions that will form to enact the president's agenda. I use this argument to develop three hypotheses: the Constituency Hypothesis, the Vulnerability Hypothesis, and the Safety Hypothesis.

Chapter 4 begins to test the hypotheses using presidential support scores from 1957 to 2007. This analysis finds that members' constituencies and electoral incentives cause some members to vote against their party caucus on presidential agenda votes.

Specifically, the president's *relative* strength in members' constituencies affects members' *relative* levels of presidential support. This effect is especially strong for vulnerable members of Congress.

Chapter 5 responds to arguments about presidential coalition building that focus on members' ideology as an explanation for their voting behavior on presidential agenda items. I examine member behavior on "challenged vetoes," those vetoes which Congress attempts to override. This analysis holds bill content constant and finds that constituency influence and electoral incentives are strongly related to members' decisions to switch their votes between final passage and the veto override attempt. These effects are often stronger than ideology's effect on members' voting behavior.

Chapter 6 consists of a case study of the presidency of Lyndon Baines Johnson. LBJ's legislative experience encapsulates the highest of highs and rather low lows in just a five year period. This case study presents three more empirical puzzles posed by party-based theories. In both the 89th and 90th Congress, LBJ's legislative success rates fluctuated drastically from one year to the next, decreasing by over 10 percent from 1965 to 1966 and increasing almost 10 percent from 1967 to 1968. Furthermore, President Johnson enjoyed equal or greater legislative success in 1968 than he did in 1966, despite Democrats controlling 47 fewer House seats and four fewer Senate seats. I find that the changing voting behavior of "cross-pressured" House Democrats and Republicans, as well as the voting behavior of electorally safe Senate Republicans help explain these three empirical puzzles. Thus, adding constituency influence and electoral incentives to our theories of presidential coalition building solves the three puzzles of LBJ's legislative experience that cannot be solved by party-based theories.

Chapter 7 examines the major legislative battles of the Obama presidency during the 111th Congress. If ever any president at any point in history would be able to enact

his agenda on the strength of votes from presidential party members alone, the 111th Congress was that time and Barack Obama was that president. Despite an overwhelming electoral victory and large Democratic majorities in both chambers of Congress, around two-thirds of the Obama agenda items enacted into law during the 111th Congress could not have passed with Democratic votes alone. Instead, the president had to rely on Republican votes to enact the majority of the agenda items he was able to get through the 111th Congress. My analysis finds that large numbers of House Democrats voted against the president because they represented constituencies where the president was weak. The Republicans who provided President Obama with the votes he needed to enact his agenda into law almost always represented constituencies where the president was strong.

The concluding chapter comments on the ways in which the constitutional design influences congressional behavior in the modern day. I summarize my findings and clarify the study's theoretical contributions and conclude by discussing the normative implications of the current institutional relationship between Congress and the president.

Table 1.1: Presidents and Landmark Legislation

Bill	President	House Vote Total	Presidential Party Yeas	Need Opposition Votes to Pass in House?	Senate Vote Total	Presidential Party Yeas	Need Opposition Votes to Pass in Senate?
Civil Rights Act of 1957	Eisenhower	286-126	168	Yes			
Trade Expansion Act	Kennedy	256-91	178	Yes	78-8	56	Yes
Nuclear Test Ban Treaty	Kennedy			No	80-19	55	Yes
Civil Rights Act of 1964	Johnson	289-126	153	Yes	76-18	46	Yes
Economic Opportunity Act of 1964	Johnson	226-185	204	Yes	61-34	51	Yes
Tax cut	Johnson	326-85	218	No	77-21	56	Yes
Medical Care for the Aged	Johnson	307-116	237	No	70-24	57	Yes
Voting Rights Act of 1965	Johnson	328-74	217	No	79-18	49	Yes
Elementary & Secondary Education Act	Johnson	263-153	228	No	73-18	55	Yes
Open Housing Act	Johnson	250-172	150	Yes	71-20	42	Yes
War Powers Act	Nixon			N/A			N/A
Economic Recovery Tax Act	Reagan	282-95	169	Yes	67-8	41	Yes
Omnibus Budget Reconciliation Act	Reagan	232-193	185	Yes	80-14	49	Yes
Tax Reform Act of 1986	Reagan	292-136	116	Yes	74-23	41	Yes
Deficit Reduction Package	George HW Bush	228-200	47	Yes	54-45	19	Yes
Persian Gulf Resolution	George HW Bush	250-183	164	Yes	52-47	42	Yes
Omnibus Deficit Reduction Act	Clinton	218-216	218	No	51-50	50	
NAFTA	Clinton	234-200	102	Yes	61-38	27	Yes
Welfare Reform	Clinton	328-101	98	Yes	78-21	25	Yes
Balance Budget by 2002	Clinton	327-97	129	Yes	76-22	36	Yes
Bush Tax Cut	George W Bush	240-154	211	Yes	58-33	46	Yes
Use of Force - Afghanistan	George W Bush	420-1	214	No	98-0	47	Yes
USA Patriot Act	George W Bush	357-66	212	No	98-1	49	Yes
Iraq Resolution	George W Bush	296-133	215	No	77-23	48	Yes
New Homeland Security Department	George W Bush	299-121	212	No	90-9	48	Yes
Medicare Reform	George W Bush	220-215	204	Yes	54-44		
Housing Reform Plan	George W Bush	272-152	45	Yes	72-13	27	Yes
TARP	George W Bush	263-171	91	Yes	74-25	34	Yes

Chapter 2: How the President Became the Legislator-in-Chief

Modern American politics take place in a system that is a mixture of the original constitutional design and the Constitution's evolution over time. The Constitution's guidelines establish the basic rules of the game. Over time these rules evolved and created new powers, responsibilities, and expectations for American politicians. The current American system thus operates under "two constitutions" (Tulis 1987). The first constitution is the actual document itself. The second constitution is our evolved understanding of each institution's place in the political system. Both formal and informal changes caused our expectations of Congress and the presidency to evolve over time. Formally, changes in the modes of election for each branch played a major role in democratizing both the presidency and the Senate. Informally, a number of presidents set significant precedents for their successors to follow. These formal and informal changes led to the president's current role as both a legislative leader and as an information shortcut that the American people use to make sense of the political arena.

There is no question that the modern presidents play a large role in the legislative process. In this chapter I trace how the president became a central participant in the process. First, I outline the constitutional backdrop underlying the modern political world by summarizing the legislative powers and responsibilities the Framers gave to Congress and the president, as well as the constitutional checks on both branches power. Second, I discuss how these legislative powers and responsibilities evolved over time as the result of formal reforms, informal precedents established by innovative presidential actions, changes in the electorate and technological advances. Third, I discuss the

behavior of presidents, members of Congress, and the voting public in the modern context. Fourth, I develop three hypotheses about which members of Congress are most likely to be a part of the president's legislative coalitions. Finally, I discuss which members are most likely to be the targets of the president's persuasive efforts.

Separation of Powers

The Founders faced quite a conundrum at the Constitutional Convention. Their central problem was figuring out how to grant the government enough power to operate effectively while at the same time protecting the rights of the people. The Articles of Confederation were failing because they did not provide a strong enough government for the growing United States (Prince 1867). The Founders thought it clear that a stronger, more energetic government was needed. At the same time, the Founders had four fears about such a system of government. They were afraid of tyranny, legislative dominance, the potential harms from bad legislation, and the potential for demagoguery to arise in the executive branch. In order to control both each branch of the federal government as well as the government as a whole, the Founders created a system where each branch would "be the means of keeping each other in their proper places" (*Federalist* 51). The first three fears led the Founders to separate legislative powers between the executive and legislative branches, and give each branch a check on the other's legislative powers. The fear of bad legislation and the potential for demagoguery led the Founders to devise an electoral system with a number of checks on the popular will. With these safeguards in place, the executive and legislative branches were given the power and responsibility to jointly make laws.

The designers of the Constitution feared the development of tyranny in their new nation. By tyranny, they meant the consolidation of power into one branch of

government (*Federalist* 47). To guard against the growth of tyranny, the Founders separated power among the branches and gave each branch checks on the others power (*Federalist* 48). "Legislative dominance" was thought to be the primary tyrannical threat because the legislature was closest to the people and thus most able to win their favor (*Federalist* 51). Legislative dominance would occur if Congress usurped all power for itself and rendered the president impotent.

Bicameralism was one way the Founders guarded against this threat. The intent of bicameralism is to provide the two chambers of Congress with "different modes of election and different principles of action" in order to make them "as little connected with each other" as possible (*Federalist* 51). Each chamber of Congress thus had its own separate constituencies, modes of election, and concerns. The House's constituency was the people themselves, members of the House were directly elected, and their concern was the national interest (*Federalist* 39). On the other hand, the Senate's constituents were their state legislatures, they were selected as these legislatures saw fit, and their concern was representing their state's interests (*Federalist* 39). As a result of these differences, each chamber brought a separate perspective to bear in the legislative arena. These different perspectives ensured that Congress would be unlikely to conspire against the president and steal power away from the executive branch (*Federalist* 51). In modern terms, the Founders guarded against legislative dominance by intentionally designing Congress with a collective action problem.

In addition to bicameralism, the veto power guarded against the prospect of legislative dominance and tyranny. *Federalist* 73 explains that the veto power will give the president protection against the legislature by providing the presidency with the "competent powers" necessary for "energy" in the executive. It goes on to argue that each branch should possess a "constitutional and effectual power of self-defense." The

veto provides this protection for the president, while impeachment provides such protection for the Congress.

In addition to concerns about legislative dominance, the Founders also feared the potential harms arising from bad legislation. The *Federalist* repeatedly mentions concerns about improper legislation. Both bicameralism and the veto power were intended to guard against the passage of such legislation. These mechanisms reflect the Founders' belief that "the oftener the measure is brought under examination" and "the greater the diversity in the situations of those who are to examine it" the better a law it will be (*Federalist* 73). Bicameralism ensures that legislation cannot pass without the support of first "a majority of the people, and then, of a majority of the states" (*Federalist* 62). The veto makes it even more difficult for bills to become laws. The Founders acknowledge that occasionally such a system will stall the passage of beneficial laws, but conclude that "the injury which may possibly be done by defeating a few good laws, will be amply compensated by the advantage of preventing a number of bad ones" (*Federalist* 73). In other words, the institutional design of the system favors the status quo and creates a high barrier to the passage of new legislation in order to guard against negative consequences by ensuring that new legislation is well thought out.

Electoral Safeguards

The Constitution created the American republic with an understanding that the government derived all of its power from the people (*Federalist* 37). The government's legitimacy depended upon the people's consent. In addition, the people's participation in the electoral system provided the primary precaution against an oppressive government (Mansfield 1989). While the Founders considered the people's consent integral to the

integrity and legitimacy of the government, they also wished to protect minority rights, prevent the passage of harmful legislation, and give representatives some protection from the passions and whims of public opinion (*Federalists* 10, 68 and 73). To balance the tension between grounding the government in the public's authority and protecting the people from themselves the Constitution provided presidents, senators, and representatives with different modes of election and thus different constituencies (*Federalist* 39). Members of the House were directly elected by the people, senators were selected by state legislatures, and the president was picked by the states through the device of the Electoral College, which ensured that the president possessed the moral and intellectual abilities needed to be president and to guard against presidential candidates gaining office through "talents for low intrigue, and the little arts of popularity" (*Federalist* 68). The Framers attempted to achieve these goals by adding a layer of insulation between the people and presidential selection. Similarly, the selection of senators by state legislatures insulated the Senate from being directly accountable to the voting public. Despite this electoral insulation, Article 1, Section 5 of the Constitution requires each chamber of Congress to keep a journal of its proceedings in order to allow the people to monitor the official conduct of their representatives. While the Framers added a layer of protection between presidents, senators, and the popular will, they also made certain that the people could monitor their representatives and make sure they were acting in the constituency's interests.

Congressional Powers and Responsibilities under the Constitution

Article I is the first, longest and most detailed part of the Constitution. It creates the bicameral Congress and vests "all legislative powers" in the body. Article I, Section VIII outlines Congress's legislative powers, both enumerating congressional powers and

granting Congress the authority to "make all laws which are necessary and proper" to carry out its enumerated powers. This section of the Constitution is referred to as "the most important section" of the document since it encapsulate the scope of the federal government's power, thus setting the playing field for the political game between presidents, Congress and the courts (Corwin 1937). The bulk of this section enumerates Congress's power in economic and military affairs, as well as the power to create inferior courts and punish federal crimes. In the economic arena, Congress is given the power of the purse through clauses allowing it to both tax and spend, and thus the power to regulate or promote economic activities as it sees fit. Militarily, the Constitution grants Congress the power to declare war, raise and support an army and a navy, and to organize state militias and call them into service of the federal government when it sees fit. By themselves, the economic and military powers enumerated in Article I, Section VIII created a powerful Congress, but the Founders added two clauses that led the scope of congressional power to enlarge over the course of American history. The "interstate commerce clause" and the "necessary and proper clause" would eventually lead to a federal Congress that exercised vast legislative powers.

With great legislative power comes great legislative responsibility. First and foremost, *Federalist* 70 charges Congress with the responsibility to provide "deliberation and wisdom." Second, the Congress is responsible for winning "the confidence of the people" and "securing their privileges and interests." In particular, the House of Representatives is intended to "have an immediate dependence on, and an intimate sympathy with, the people" (*Federalist* 52). Members of the House are held accountable through frequent elections in order to make sure that they properly represent the people's will. On the other hand, senators are responsible for working in the interest of their respective states. They were thus held responsible through selection and potential

removal by their state legislatures. Senators are given a longer term in office in order to provide stability in the government, promote a sense of national character in Congress, and defend the people from making rash, unwise decisions (*Federalists* 62 and 63). They are thus to be responsible for balance the interests of their respective states with the national interest (*Federalist* 64). The Founders designed what they considered to be the most important branch of government as a bicameral legislature with a Senate intended to represent states' interests and prove stability and prudence in the Congress, and a House intended to represent the people and win their support. Frequent popular elections ensured that the House would be responsible to their constituent's, while less frequent election by state legislatures made certain that senators would be insulated from popular pressure and help allow the Congress to act in the nation's best interests.

Presidential Powers and Responsibilities under the Constitution

Article II is neither as long nor as detailed as Article I (and of course, it is also not the first article in the Constitution). The Founders designed the office with a unitary structure intended to instill energy in the executive branch (*Federalist* 70). By "unitary structure," I mean that the presidency is vested in a single person who can act on his or her own without consultation or permission from others. The unitary structure of the office, in combination with the president's four year term of office, was also intended to allow the president to act vigorously in the national interest as he saw it (*Federalist* 71). Article II gives the president three primary legislative powers; the veto, the ability to call Congress into special session, and the duty to periodically give Congress information on the State of the Union and recommend measures that he deems "necessary and expedient." These limited legislative powers are the extent of the president's

constitutional powers in the legislature. Looking at these powers alone would not suggest that president would come to play a major role in the legislative arena. The president came to play that role nonetheless. In fact, some scholars argue that the Constitution intentionally left the president's powers relatively vague in order to later empower the president when circumstances warranted increases presidential power (Mansfield 1989).

The president's primary responsibility is to "preserve, protect and defend the Constitution" (Article II, Section I). He is to do so by acting in the national interest as he understands it. Both the Electoral College and the president's four year term in office were intended to insulate the president from popular pressure in order to encourage him to make politically unpopular decisions when he thought it appropriate. These structural mechanisms would allow the president to withstand pressure and act in opposition to the "temporary delusions" of the mass public (*Federalist* 71). The president would still be held accountable by the Electoral College every four years, but this body was also designed to be detached from the "heats and ferments" of public opinion (*Federalist* 68). While the Electoral College gave the president some tie to the people and thus some republican legitimacy, it also allowed him to put his own considerable skills to work in order to meet his great responsibility to the nation and the Constitution.

THE EVOLUTION OF THE AMERICAN SYSTEM

The president did not always play a large role in the legislative arena. The limited legislative powers outlined for the president in Constitution constrained his legislative activity in the early part of American history. The president's modern role as a legislative leader is the result of a number of formal rule changes, informal presidential innovations and technological advances. The most important formal rule changes involve

the democratization of the Electoral College, the Senate and the nation as a whole. Another important change is the democratization of the presidential nominating system. These changes directly tied both the president and the Senate to the public and made their job security dependent upon the people's approval. Informally, the president's legislative role expanded due to precedents set over time in response to major issues of the day. In particular, Presidents Jefferson, Jackson and Wilson all enhanced the president's legislative powers. Technologically, the growth of the mass media through radio, television and the Internet contributed to the president's current role as a center of the legislative universe.

Formal Changes – Democratization

The Electoral College placed a barrier between the people and the presidency in order to allow the president to act against the popular will when necessary (*Federalist* 68). This separation quickly dissolved as more and more states decided to use popular election to choose electors to the college. By 1836 every state in the Union used popular election to choose electors, electors made their presidential preferences known in advance, and the political parties offered full slates of pledged electors (Gregg 2001). This development at the state level democratized the Electoral College by making a vote for an elector equivalent to a vote for the presidential candidate the elector pledged to support, thus removing what the Founders intended to be a degree of separation between voters and candidates. In addition to the democratization of the Electoral College, the major parties' presidential nominating process became more democratic as well. The turbulent presidential contest of 1824 and its eventual resolution through a "corrupt bargain" between John Quincy Adams and Henry Clay led to the demise of the "King

Caucus" nominating system. By 1828, the King Caucus system was replaced with national party conventions. Over a century later, the McGovern-Fraser Commission reforms further democratized the presidential nominating process by taking control of party conventions away from party leaders and giving control to delegates selected by popular vote. As a result of these developments, today's presidents are both nominated and selected by direct election. This democratization of the presidential selection process ties the president and the people together in what is now a two-year long process.

The presidency is not the only institution with legislative powers that underwent a democratic transformation. The Senate did as well. Article 1, Section 3 of the Constitution mandated that Senators be chosen by their state legislatures. In the early 20th century, Progressives railed against this provision as both undemocratic and inefficient because in a number of cases state legislatures under divided party control did not select Senators for months or years at a time. The 17th Amendment replaced this system with direct election of Senators. As a result, today both the president and all members of Congress are held accountable to the popular will through the electoral process. This fact helps the president build legislative coalitions by using his status as a popularly elected national leader as leverage with senators.

Informal Presidential Power Precedents

The formal changes to the electoral process for both presidents and senators laid part of the groundwork for the president's evolution into a major legislative player. Informal presidential precedents augmented this electoral foundation. As these informal precedents accumulated, the president eventually became the leader of both his party-in-government and his party-in-the-electorate. Moreover, the president also became a major policy advocate in both private and public. Thomas Jefferson set the first of these

precedents, leading the way for the president to become the leader of his party-in-government. Jefferson's election in 1800 occurred in tandem with a major change democratizing the Electoral College; the formation of party organizations that offered slates of electors who pledged to vote for a particular presidential candidate (Gregg 2001). Jefferson led congressional candidates from his Democratic-Republican Party into power in both the House and the Senate. During his first Inaugural Address Jefferson in effect claimed the first electoral mandate, arguing that his party's policies should be enacted into law due to the party's electoral success. With a centralized and disciplined party organization in place in both the House and the Senate, Jefferson set the precedent for the president to exercise legislative power by acting as his party's leader in the Congress (Milkis and Nelson 1990). This informal use of presidential power relied on the people's support of both the president and members of Congress who championed the president's program. Working together to pass the president's preferred policies, Jefferson and the Democratic-Republican members of Congress who supported him took the first step on the president's journey to becoming a major legislative player.

The second step on the president's road to his current role as a central legislative actor took place under Andrew Jackson. Once again it occurred alongside a formal reform that democratized the presidential selection process; the demise of the "King Caucus" nominating system whereby the party's congressional caucuses selected their presidential candidates. In a 1823 resolution assailing King Caucus, the Tennessee General Assembly railed against the injustice of the system, claiming that it violated "the spirit of the Constitution" (Nelson 2004). After the "corrupt bargain" of 1825 that elevated John Quincy Adams to the presidency in return for his naming Henry Clay the Secretary of State, the caucus system fell apart and was replaced by party nominating conventions. The same popular fervor that led to the death of "King Caucus" also helped

Jackson set an informal precedent that enhanced the president's legislative role. Jackson established the president as the leader of his party in the electorate. Through his resounding victories in both the 1828 and 1832 presidential elections and his veto message in response to Congress rechartering the Bank of the United States in 1831, Jackson further established the president as a legislative player with power partially grounded in the public's approval. Furthermore, Jackson showed that the president could use public approval to strength his legislative role. In his bank policy veto message, Jackson claimed coordinate legislative powers and claimed that the president had the ability to independently interpret the Constitution. He grounded these claims in public approval, maintaining that the people could approve or reject his claim of coordinate powers in the 1832 election and ending his message proclaiming "I have now done my duty to my country. If sustained by my fellow citizens, I shall be grateful and happy" (Nelson 2004). By the end of his presidency Jackson set informal precedents establishing the president's potential to become the leader of his party in the electorate, and the president's ability to use this popular leadership as leverage in the legislative arena.

Jefferson and Jackson also set another informal precedent that strengthened the president's legislative role. Jefferson's Louisiana Purchase and Jackson's bank policy veto introduced the idea of using the presidential election as a referendum on particular policies. Both men explicitly stated that the public could judge their innovative claims to presidential power. Woodrow Wilson expanded on this informal precedent and set another precedent in the process. Wilson packaged his preferred policies together as the "New Freedom" agenda and used his election as a referendum on his legislative program. Building on Teddy Roosevelt's use of the presidency as a "bully pulpit," Wilson went over Congress's collective head and took his policy agenda directly to the people. For

the first time in presidential history, the president used rhetorical appeals to the people to pressure members of Congress to vote in favor of the presidential agenda (Tulis 1987).

By the end of Wilson's presidency, a powerful foundation existed for the president to exert power in the legislative agenda. The democratization of the presidency is the rock upon which the president's legislative power is built. Jefferson, Jackson and Wilson all exploited the president's link to the people to enable themselves to set informal precedents expanding the president's legislative role. Jefferson established the president as the leader of his party in the government, Jackson showed the president's potential to lead his party in the electorate, and Wilson demonstrated how presidents could use the people's support as leverage in the legislative arena. All three men also revealed the potential to use elections as policy referendums. With these informal precedents in place, technological developments enabling the rise of mass media was all that was necessary to elevate the president to his current role.

Technology, Media and the Presidency

Presidents used the media to disseminate their message and garner support for their legislative programs even before Wilson's time. For example, Teddy Roosevelt used *McClure's* magazine to publicize his campaign in support of the Hepburn Act (Buchanan 1987). Advances in the media's geographical range and turnaround time, as well as increases in media readership and viewership all enhanced the media's potential as a presidential tool in the legislative arena. By the 1930s the media had the potential to reach almost all Americans through the radio and almost instantaneously update them on the latest presidential actions. Radio allowed FDR to reach into millions of homes with his fireside chats. Wilson began the practice of regular presidential press conferences and JFK augmented this tool by bringing the presidential press conference to television.

Reagan carefully scripted television appearances and photo opportunities in order to make the most of his media appearances. He also instituted the practice of a weekly presidential radio address. Today, President Obama uses the Internet to supplement the traditional weekly presidential radio addresses, releasing a video message on YouTube and the White House website. The technological advances of the 20th century allow modern presidents to reach all Americans through the media and have made the American president a familiar face to almost all of the nation's citizens.

THE LEGISLATOR-IN-CHIEF

The American president's current role in the legislative process is aptly summarized as "the Legislator-in-Chief." Over time presidents have augmented their traditional powers of the veto and executive orders with informal powers that solidified the president's place at the forefront of American politics. These informal powers include acting as a party leader in both the electorate and the government, marshalling the power of the people to claim mandates and hold referendum elections on both particular issues and entire legislative programs, and using the media to publicize the president's positions, actions and activities. As a result, the president is at the forefront of the legislative process. Greenstein (1988) cites increased formal and informal and powers, and a greater legislative focus as two distinguishing characteristics of the modern presidency. The modern president sets the agenda on major issues of the day, uses the veto to bargain with members, and uses his visibility to reward and punish members both politically and financially. In the following sections I outline the current powers and responsibilities of both Congress and the president, introduce an argument about how presidents, members of Congress and the voting public make political decisions, and

develop three hypotheses about which members of Congress are most likely to become a part of legislative coalitions on presidential agenda items.

Current Presidential Powers and Responsibilities

The president's constitutional powers form the foundation of his legislative leadership. The veto is the president's primary constitutional power in the legislative arena. Andrew Jackson demonstrated the veto's power as a policy-making tool in 1832 and every president thereafter has followed suit by using the veto to affect policy. Presidents use the veto and veto threats to influence the outcome of legislation, both by changing its content or killing it altogether. Krehbiel (1998) demonstrates how the location of the 67th senator in support of a piece of legislation (aka "the veto pivot") can allow the president to either kill bills or at least force Congress to modify a bill's content and make it more moderate. In addition to maintaining the status quo or moderating bills through vetoes, the president can also strategically employ a veto threat to alter a bill's content (Kiewiet and McCubbins 1988, Cameron 2000). The veto may be the president's only constitutional power in the legislative arena, but it alone makes the president quite a formidable foe.

The Constitution influences the president's legislative power in a second way as well. Article II, Section III compels the president to provide Congress with information about the state of the Union and "recommend to their consideration such measures as he shall deem necessary and expedient." This section works in tandem with the institutional structure of the executive branch to make the president a primary agenda-setter in the legislative arena. While not an actual power, the structural design of the executive branch gives it an important advantage over the legislature in terms of agenda-setting.

Because the president is a unitary actor while Congress is a collective body with diverse interests, the president is able to set a clear legislative agenda for Congress to pursue. This structural advantage allows the president great influence in agenda-setting (Schattschneider 1960, Kingdon 1984, Baumgartner and Jones 1993, Cohen 1995). Modern presidents exploit this advantage, along with their informal power as the head of their party in the government, to push their legislative agenda.

The constitutional core of the modern president's legislative leadership is enhanced by formal powers not enumerated in the Constitution. These powers include submitting an annual budget proposal to Congress, issuing executive orders and attaching signing statements to bills. The creation of the Budget Bureau (now the Office of Management and Budget) in 1921 empowered the president and turned his obligation to submit an annual budget into a formidable political and legislative tool. The use of both executive orders and signing statements are increasingly important to the modern presidency. Executive orders allow the president to unilaterally change the legislative status quo (Mayer 1999 and 2001, Howell 2003), while signing statements give the president leeway in a law's interpretation. Taken together, the president's formal powers are powerful legislative tools.

Many of the president's informal legislative powers are used behind the scenes. The one exception, going public, is an increasingly common part of the legislative process. The president's power to go public is enhanced by both the unitary structure of his office and advances in media technology. Behind the scenes, the president informally encourages members of Congress to support his agenda through bargaining, arm-twisting, vote trading, and providing personal favors. Presidential persuasion usually consists of the constitutional power of the veto as well as the president's tool chest of informal powers.

Today, the president's legislative responsibilities involve serving what he sees as the nation's best interests by presenting and working to pass a comprehensive legislative agenda. The president still represents the nation, but instead of recommending "necessary and expedient" measures "from time to time," he presents them constantly. He then uses his constitutional, formal and informal legislative powers to achieve one overarching goal: building a legislative coalition large enough to pass his agenda into law. In order to do so, the president must inevitably persuade some members of Congress to join the coalition.

Persuasive presidents use the veto and informal powers to maximize their leverage on members of Congress. Maximizing leverage is no easy task in the American system. The government does not start from scratch after each presidential election. Jones (1994) notes that the American federal government is a continuous government with an ongoing agenda that exists before the president takes office and will continue after he leaves office. Similarly, many members of Congress are elected before the president's arrival and will continue to serve after the president departs. The president is only one player in a complex web of power (Smith 1988). As a result of the American constitutional design, the interests of presidents often conflict with the interests of members of Congress. In order to pass his agenda, deal with national problems, and convince members to make crucial compromises the president must persuade members of Congress (and other political actors) that their interests coincide with his. The power to persuade is thus perhaps the president's most important power (Neustadt 1960). The president uses his entire legislative toolbox, including the veto, behind-the-scenes bargaining and public pressure, to successfully persuade members to support his agenda.

In addition to the evolution of how the president performs his responsibility to the nation in the legislative arena, the political actors who hold him accountable for

performing his responsibilities have changed as well. As I cover in Section III, the president is no longer accountable to a set of electors detached from the "heats and ferments" of the people. Instead, the president is now held directly accountable to the people. This change in the president's constituency increases the president's legislative power. With the president at the top of the ticket, the electoral fates of members of Congress are related to his own political fortunes (Brady, Cogan, Gaines, and Rivers 1996; Canes-Wrone, Brady and Cogan 2002; Gronke, Koch, and Wilson 2003). This fact of political life allows presidents leverage over members' voting decisions. Today presidents attempt to harness the power of the people in order to pass their legislative agenda.

Current Congressional Powers and Responsibilities

Unlike the president, the Congress has seen less evolution of its instruments of power over time. While the balance of power between Congress and the president ebbs and flows over time, Congress's legislative toolbox has remained relatively static over time. Yet the fact that Congress has not added new arrows to its quiver does not mean that it has not expanded its power. The scope of congressional power grew exponentially through a series of Supreme Court rulings broadly interpreting the "interstate commerce clause" and the "necessary and proper clause" (O'Brien 2005). Moreover, congressional organization has evolved in a number important ways over the course of American history (Shepsle 1989, Sinclair 2000).

The major change is thus not in what Congress does, but in how Congress performs its legislative function and which issues it legislates. Internally, the current Congress is distinguished by high levels of partisanship in the legislative process.

Paradoxically, it is also distinguished by a high level of individualism. Parties organize the legislative process, but they do so in a manner that serves the needs of their members (Rohde 1991, Cox and McCubbins 1993 and 2005). In addition to the evolution in Congress's internal organization, the objects of legislation have evolved as well.

Congress's responsibilities have undergone some change over the years. The most important change is that senators are no longer held accountable to their state legislatures. Instead, the 17th Amendment made senators directly responsible to their state's electorate. Like the president, senators are now held directly accountable by their constituents. In today's Congress, senators are responsible for looking after the interests of their state's constituents, while members of the House are responsible for looking after their districts. This change in the constituencies to whom members of Congress are responsible to has effects on their behavior, making them more likely to follow their constituency's lead on certain issues in order to avoid a defeat at the polls. In the following chapter, I consider how this change in the institutional structure of Congress affects individual voting behavior within the institution.

Chapter 3: Constituencies, Electoral Incentives, and Presidential Coalition Building

The design and evolution of the American system create a situation where the president acts as one of the main legislative agenda-setters. This large legislative role results from the Constitution's command that the president recommend measures to Congress, the institutional incentives that stem from the presidency's structure as a unitary actor and Congress's structure as a collective body, and the informal precedents set by presidents acting as agenda-setters and pressing legislative programs. Today the president is expected to set a major part of the legislative agenda and use his formal and informal powers to pass this agenda into law. In order to see his agenda into law, the president must build majority coalitions in both the House and the Senate. At times in the Senate the bar is even higher, as senators who support the president's position need sixty votes to invoke cloture and overcome the filibuster.

The previous chapter outlined how the constitutional design and evolution created the institutional environment that members of Congress and the president operate in today. This institutional environment creates goals, responsibilities, resources, and constraints that shape the behavior of presidents and members of Congress. The institutional environment affects how members and presidents make decisions because it influences both their preferred ends and their available means. I argue that the Framers' decision to make members of the House subject to frequent elections, in tandem with reforms that democratized both the presidency and the Senate, creates institutional incentives that shape members' decisions and thus affect the president's ability to build legislative coalitions.

My argument addresses how electoral incentives, member vulnerability, and the president's strength in members' constituencies combine to make some members

systematically more likely to vote in support of the president's agenda and others systematically more likely to oppose it. In particular, vulnerable members from constituencies where the president enjoys relatively high popularity will tend to support the president more than other members. Constituency-level presidential causes some members to support the president more than others whether the member is electorally vulnerable or not. Aspects of the American constitutional design, working in tandem with the evolution of the American political system, systematically induce such members to support the president. The president's status as the sole representative of the entire nation and the electoral mechanisms designed to ensure representation and democratic accountability combine to make some members more likely to support the president.

I organize my argument by considering the factors that influence the decision-making of presidents, members of Congress, and the general public. The decisions of individual members, presidents, and the public are all interrelated. Individual members decide whether or not to support the president based in part on calculations about how their constituents will respond to the member's vote. The president decides which members will support him based in part on his strength in members' constituencies, and the public decides who to vote for based in part on the relationship between the president and their representatives.

MOTIVATING ASSUMPTIONS ABOUT PRESIDENTS, CITIZENS, AND REPRESENTATIVES

I build my argument about presidential, congressional, and mass decision-making on a few simple assumptions. First, I assume that presidents behave presidentially (Moe and Wilson 1994). In other words, the institution of the presidency creates a similar set of goals, incentives, powers, and responsibilities for all individuals who occupy the office

independent of the partisan or the personal differences among them. My second simple assumption about presidents is that all presidents wish to win legislative battles for reasons of politics, policy, and personal legacy. Third, I assume that presidents are rational actors with limited time and resources who will target their coalition building efforts towards those members of Congress whom are most likely to vote in support of the president's position.

I build my argument about congressional decision-making on two simple assumptions. First, members of Congress are single-minded seekers of reelection (Mayhew 1974). Second, in order to serve their electoral goals members of Congress attempt to please their constituencies at all time.

I use four assumptions to motivate my argument about mass decision-making and mass voting behavior. First, American citizens have limited time to devote to politics. Second, as a consequence of these time limits American citizens know little about American politics. Third, citizens know more about the president than they know about their members of Congress. Fourth, because they know more about the president than they know about their members of Congress, citizens will use the president as an information shortcut and reward or punish their members of Congress based on the members' level of support for the president's agenda.

Presidential decision-making

Presidents are rational actors with limited time and resources. They work within a complex environment that exists before their entry into the system and continues past their exit (Jones 1994). Regardless of partisan and ideological preferences, all presidents share a set of public expectations and institutional capacities. The public expects

presidents to maintain national security, economic prosperity and domestic tranquility (Ostrom and Simon 1985). Presidents all share a set of institutional capacities, and work within the same larger institutional arrangement that is the American political system. Therefore, we can expect that presidents will behave presidentially and in a relatively similar fashion on the whole (Moe and Wilson 1994).

Presidential behavior is motivated by the president's conception of what will work best with the least political cost. In other words, the president wants to get the most bang for his political buck. This motivation holds in both the legislative and electoral arenas. Electorally, presidents are judged on whether they make national conditions better or worse. Public support for the president is based in large part on news about political outcomes (Brody 1991). In the legislative arena, passing the best policy possible contributes to the president's two main goals: reelection during the first term and presidential legacy during the second term. In order to decide where his time is best spent, the president must consider how member of Congress make voting decisions and tailor his legislative strategy accordingly.

Congressional decision-making

Three factors motivate the behavior of members of Congress (Fenno 1978). First and foremost, members of Congress are interested in reelection. Second, members of Congress care about upward mobility. House members often want to become senators or governors, and nearly all senators dream of one day becoming president. The desire for upward mobility usually causes members to respond to their party leaders, but can sometimes cause members to defect from the party. Members will defect from the party on big issues where they want to make what they see as the "right" decision, pass good policy, and earn the admiration and respect of the voting public. John McCain's dogged

pursuit of campaign finance reform is a good example. Third and finally, personal policy preferences also drive member behavior, but these preferences are not generally as important as electoral incentives.

The proximate goal of almost every member of Congress is to win their next election (Mayhew 1974). Constituencies exert influence on members' response to presidential agenda items because constituents hold the final say over members' primary interest; reelection. Members see themselves as "unsafe at any margin" (Mann 1978) and political scientists find that this perception is often true (Jacobson 1987; Ansolobehere, Brady and Fiorina 1992). As a result, members pay attention to their "reelection constituency" at almost all times (Fenno 1978) and even the safest members of Congress are quite responsive to constituent opinion (Bartels 1991). When an issue is salient in the public's eyes, constituent preferences tend to take precedence over member preferences in members' decision-making process (Kingdon 1973). Even potential constituent preferences at a later date can guide member behavior on issues that have little salience and do not capture the public's attention during the legislative process (Arnold 1990). Most presidential agenda items are either highly salient issues, or have the potential to become salient issues. In order to serve their electoral interests, members must anticipate how their constituents will react to the member's votes on the president's agenda.

The decision-making process of members of Congress provides an opening for presidents to build successful coalitions. Because members, above all, desire reelection, presidents can employ members' constituents as leverage in the legislative arena. In order for the president to successfully utilize a member's constituency to the president's legislative advantage, both members and presidents need to know something about how members make decisions in the electoral arena.

Citizen Decision-Making

Most American citizens have little time to devote to politics. Americans are now the hardest-working people in the world in terms of hours worked per week (International Labour Organization 2007). Still, many citizens feel a sense of duty that drives them to vote despite the infinitesimally small chance that any one individual's vote will change the outcome of an election (Downs 1957). To compensate for their limitations, voters tend to use low-information shortcuts to process political events (Popkin 1991). Party ID is the easiest and most available shortcut (Berelson, Lazarsfeld and McPhee 1954; Campbell, Converse, Miller and Stokes 1960). Party's usefulness as an information shortcut for voters, and thus its usefulness to members' electoral goals, helps explain its influence on member voting behavior. While party surely serves as both an information shortcut for citizen and an influence on member voting behavior, I argue that the president can also serve as an information shortcut for voters. Thus, in addition to party politics, constituency-level presidential support influences member voting behavior as well.

Despite party's exceptionally strong influence on member behavior, members of Congress can and do defect from their party's position on roll-call votes. Defection is especially likely on salient, high-profile votes. I argue that this defection often occurs on presidential agenda votes because the president himself serves as an information shortcut for voters. The president can serve as an information shortcut in two ways. First, the president's involvement in high-profile issues such as health care reform can help voters make sense of political debates and decide where they stand on certain issues. Second, while many voters pay little attention to politics and use only party itself as an information shortcut, more sophisticated voters pay closer attention to politics and may

use their opinion of the president as an additional information shortcut above and beyond party politics.

Both empirical and anecdotal evidence shows that voters use the president as an information shortcut. First, Americans do form coherent opinions about presidential job performance (Brody 1991). Second, these opinions about the president can affect electoral outcomes. Numerous studies find that voters who disapprove of the president's job performance tend to take out their anger on members of his party (see Campbell 1993 and Jacobson 1997 for two good examples). Third, voters are able to distinguish between members of Congress based on members' level of presidential support. Members of Congress tend to suffer more electorally as their support of unpopular presidents increases (Brady, Cogan, Gaines and Rivers 1996; Canes-Wrone, Brady and Cogan 2002). When citizens use presidents as cues, they are able to differentiate between members with high and low levels of presidential support (Gronke, Koch and Wilson 2003). A substantial body of empirical evidence demonstrates that voters form opinions about the president, and use these opinions to evaluate members of Congress.

Anecdotal evidence suggests the cognitive process at work when voters use the president as an information shortcut. I argue that citizens use the president as a type of "likability heuristic" when evaluating their members of Congress (Brady and Sniderman 1985; Sniderman, Brody and Tetlock 1991). Gronke, Koch and Wilson (2003, 798) find empirical evidence that "citizens who like the president reward members who support him and punish members who oppose him, while citizens who dislike the president do exactly the opposite." A voter in Arkansas provided anecdotal evidence about how this decision-making process works, succinctly summarizing it to a reporter who asked his thoughts about Blanche Lincoln's support of President Obama's health care reform bill. "I don't give two cents for his health care plan," Mr. Mansfield said, "and if she supports

it, I don't give two cents for her opinion" (Dewan 2010). Mr. Mansfield's remarks suggest that in order to evaluate their members of Congress on presidential agenda votes, citizens only need to make two simple calculations. First, do they like or dislike the president's proposals? Second, does their member of Congress agree or disagree with the president's proposals? This straightforward calculation allows citizens to assess their representatives in Congress using little time and effort.

Consider the cognitive and time demands that a more thorough decisionmaking process would put on American voters. Using the president as an information shortcut to evaluate a members' vote is a simple, connect-the-dots process. A more sophisticated analysis of members' votes on the president's agenda is akin to climbing Mount Everest. In order to perform such a sophisticated decision, a citizen would be required to read and analyze each bill the president supports, develop a deep understanding of the policy implications of these bills, and collect information about how their representative and senator vote on each bill. While a few incredibly engaged citizens may perform such a sophisticated analysis of the policy implications of their representatives' votes on the president's agenda, all existing evidence suggests that the great majority of voters use the president as a low-information shortcut to evaluate their members of Congress.

HOW PARTY, CONSTITUENCY AND VULNERABILITY AFFECT PRESIDENT SUPPORT

I use the above argument about presidential, congressional and mass public decision-making to derive three hypotheses about which members of Congress will be most likely to support the president's preferred policies: the Constituency Hypothesis, the Vulnerability Hypothesis, and the Safety Hypothesis.

The Constituency Hypothesis

In order to achieve their proximate goal, reelection, members of Congress must remain popular with their constituents. Because constituents use presidential support, among other things, to evaluate their members of Congress, members adjust their levels of presidential support accordingly. The Constituency Hypothesis holds that members will vary their support of the president in accordance with their constituency's preferences.

> **The Constituency Hypothesis:** The likelihood that a member will support the president's policies increases as the president's strength in the member's constituency increases.

The Vulnerability Hypothesis

All members of Congress are not equally secure. Many members hail from safe districts and have great leeway in their voting behavior. Others come from marginal districts and live in constant fear of losing their slim electoral edge. Marginal members are particularly sensitive to their constituents' preferences. When a marginal member's constituents are favorably predisposed towards the president, that member opposes the president at her own peril. Conversely, if a marginal member's constituents are unfavorably predisposed towards the president, that member will be hesitant to stick her neck out and support the president. The Vulnerability Hypothesis holds that marginal members will be especially likely to follow their constituency's lead on presidential agenda items.

> **The Vulnerability Hypothesis:** Vulnerable members from constituencies with high levels of presidential strength will be more likely to support the president than other members. Vulnerable members from constituencies with low levels of presidential strength will be less likely to support the president.

The Safety Hypothesis

All members of Congress pay attention to their constituents and attempt to keep them happy, but safe members have a bit more freedom than vulnerable members. This freedom could cause safe members to change their votes more often at various stages of the legislative process. This expectation seems logical for two reasons. First, both presidents and congressional party leaders might be more likely to lean on safe members and ask for their support on critical presidential agenda votes. Presidents and party leaders are pragmatic politicians who understand that safe members of their party are more likely than vulnerable members to take potentially risky positions. Second, safe members may be more likely than vulnerable members to vote according to their personal ideological preferences on some issues. Vulnerable members have a greater risk of failing to achieve their proximate goal, reelection, and thus give great weight to constituent preferences when deciding how to vote. Safe members may take advantage of their electoral situation and vote against constituent preferences on issues that have relatively low salience and are personally important to them.

To test the Safety Hypothesis, I analyze vote switching on veto override attempts. The Safety Hypothesis holds that electoral safe members of Congress will be the most likely to switch their votes between final passage and the veto override attempt for the two reasons discussed above. First, presidents and party leaders may be more likely to press safe members for their support on the veto override attempt. Second, safe members

might be more likely to vote as they see fit on the final passage vote when the public's attention to the issue is low, while vulnerable members pay closer attention to the public's "potential preferences" (Arnold 1990). As a result, the operative preferences of safe members would be the most likely to change after the president issues a veto and the public's attention to the debate increases.

> **The Safety Hypothesis:** As a member's electoral vulnerability decreases, the member's likelihood of switching votes during the override attempt increases.

How Representation and Democratic Accountability Influence Elite Political Behavior

If the above hypotheses hold true, they suggest that representation and democratic accountability are alive and well in the American political system. The president represents the nation by proposing policies that he thinks will best serve the national interest. The Constituency Hypothesis suggests that members of Congress will represent their constituents when they respond to the president's agenda by adjusting their levels of presidential support to fit their constituency's view of the president. If a member's constituents like the president and support his policy proposals, that member will represent her constituents by voting in favor of the president's agenda. Conversely, members from constituencies that do not have a high opinion of the president or his policies will represent their constituents by voting "nay" on presidential policy items. In this manner, the constituency's views are acted upon by their elected representatives.

The Vulnerability Hypothesis suggests that members' fear of being held accountable at the next election provides citizens with a way to ensure that their representatives behave in accordance with their constituents' wishes. Vulnerable

members of Congress have the most to fear in their coming election, and thus will be the most sensitive to their constituency's opinion of the president. When the Vulnerability Hypothesis holds true, it serves as evidence that members fall in line with their constituency on presidential agenda items in order to avoid losing their seats in Congress. The electoral mechanism thus works as intended, forcing members to give voice to their constituents or risk being held accountable for failing to represent what the constituency views as the best course of action.

The Constituency and Vulnerability Hypotheses do not merely tell us about congressional accountability. They also demonstrate how the public holds the president accountable for his actions. When the voting public has a high opinion of the president and his policies, members of Congress are more likely to vote in favor of his agenda in order to represent their constituencies and avoid being held accountable in the next election cycle. High popularity thus makes it easier for the president to accomplish his legislative agenda. On the other hand, when the president becomes unpopular, members of Congress will be less likely to support his preferred policies. This situation often leads to a stalemate between Congress and the president, keeping the president from passing his agenda into law. Voters thus hold the president accountable by holding the power to encourage their representatives to either provide or withhold support for the president. When the president takes actions and proposes policies that voters disagree with, they hold him accountable by stalling his legislation agenda. The public, working through their representatives, thus hold the key to presidential power in the legislative arena.

Chapter 4: Constituencies, Electoral Incentives, and Presidential Support

The dominant theory of executive-legislative relations maintains that presidential success in Congress is primarily a function of partisan politics. The idea is that presidents will be successful when their party controls Congress, and unsuccessful otherwise. This chapter argues that partisan politics are only part of the story. To enact legislation into law, presidents almost always need opposition party support. In order to understand both presidential success in Congress and the passage of some of the most important bills in the modern era, we must understand why some members of Congress cross party lines on presidential agenda votes. This chapter investigates presidential support from 1957 to 2007 and finds that the president's strength in members' constituencies systematically influences member voting behavior. This influence is particularly strong for electorally vulnerable members of Congress. Even in today's highly partisan Congress, the president's strength in members' constituencies has a strong effect on members' voting behavior.

PRESIDENTIAL STRENGTH AND PRESIDENTIAL COALITION BUILDING

This chapter's analysis of the relationship between constituency-level presidential strength, electoral incentives, and presidential support helps explain a puzzling empirical fact that arises from party-based theories of presidential coalition building. All but one of the twenty-eight pieces of "landmark legislation" enacted into law from 1945 to 2008 were presidential agenda items. Contrary to the predictions of party-based theories, all

but of the twenty-seven landmark president agenda items enacted into law between 1945 and 2008 would not have become law without votes from opposition party members. This puzzling empirical fact means that party-based theories do not accurately explain the enacting coalitions that formed to pass over 96 percent of the most important pieces of legislation in modern American history. To understand more comprehensively how presidents build legislative coalitions, I investigate members' presidential support scores from 1957 to 2007. I find that members' constituencies and electoral incentives make some members systematically more likely to vote against their party caucus on presidential agenda votes. Specifically, the president's *relative* strength in members' constituencies affects members' *relative* levels of presidential support. This effect is especially strong for vulnerable members of Congress. The effects of constituencies and electoral incentives explain why some members of the president's party voted against his position on landmark legislation, as well as why some opposition party members ended up providing the president with the votes he needed to enact landmark legislation into law.

This chapter introduces the concept of "presidential strength" in order to test and measure constituency influence on presidential agenda items. *Presidential strength* measures the constituency's predisposition towards the president for each member of Congress. Using this measure, I find that the combination of constituency and member vulnerability explains why some members defect from their party caucus on presidential agenda votes. Constituency and member vulnerability are particularly strong influences in the House during the later period of the study (1985 – 2007). It is striking that even in

today's highly partisan era, the combination of constituency and member vulnerability can substantially influence members' votes on the president's agenda.

This investigation into how members' constituencies and electoral incentives systematically influence their response to the president's agenda is important for theoretical, policy, and normative reasons. Theoretically, understanding these systematic forces in American politics allows for a complete, accurate explanation of how enacting coalitions form. This inquiry also clarifies two contested topics in political science – the presidential popularity hypothesis and the marginality hypothesis. In terms of policy, understanding the effects of constituency and electoral incentives informs observers that presidents are rarely able to pass policy with votes from their congressional partisans alone. Instead, they almost always need votes from the opposition party. As a result, policy outputs in Congress will tend to be moderate and full of compromise instead of ideologically extreme policies passed by polarized partisans. Normatively, the continued strength of constituency and electoral incentives suggest that norms of representation and democratic accountability are alive and well in the American system.

To investigate how constituency and vulnerability influence members' votes on the presidential agenda, this chapter tests the Constituency and Vulnerability Hypothesis using presidential support scores from 1957 to 2007. I begin by briefly reviewing the scholarly literature concerning both constituency influence in Congress, and the relationship between members' electoral vulnerability and their voting behavior. Then, I discuss how members of Congress consider their constituents' preferences when deciding how to vote on the president's agenda and formulate two hypotheses about presidential

support in Congress. Next, I test these hypotheses using a dataset that includes every member of Congress from 1957 – 2007. Finally, I conclude by arguing that comprehending the systematic relationship between presidential support, presidential strength, and member vulnerability adds a great deal to our understanding of the relationship between the president, Congress, and the American people.

WHY CONSTITUENCIES AND MEMBER VULNERABILITY MATTER

Party-based theories of executive-legislative relations are prominent in political science for a good reason: presidential party members usually make up the majority of members in the president's legislative coalition. The problem is that a focus on party alone causes observers to miss three important facts about presidential coalitions. First, some members do defect from their party caucus on presidential agenda votes. Second, these defections are not random. Third, these defections are substantively meaningful because most major pieces of legislation proposed by the president cannot become law without support from opposition party members.

As a result of these three facts of legislative life, party-based theories cannot fully explain how presidents form winning coalitions in Congress. The main reason why party-based theories hold such sway in the current literature is that most empirical tests of presidential success in Congress examine presidential success rates *across* congressional sessions and find that presidents tend to enact more of their agenda into law when their party controls more seats in Congress. The research question of those studies is "when do presidents win most often?" The main difference with this study is that I investigate

the behavior of *individual* members of Congress during *individual* congressional sessions. As a result, my research question is "how do presidents win in Congress?" or "what type of members join the president's legislative coalitions?" To answer this question, we must understand how constituency influence and electoral incentives affect members' voting behavior.

Constituency influence on member voting behavior is a well-studied political phenomenon. This influence stems from the Constitution, which created the American republic with an understanding that the government derived all of its power from the people (*Federalist* 37 and 52). Political scientists have found that, for the most part, members of Congress do in fact represent the people's will. Miller and Stokes (1963, 56) concluded that "the conditions of constituency influence…are met well enough to give the local constituency a measure of control over the actions of its Representatives." Subsequent studies consistently confirm this conclusion, finding a strong relationship between constituency opinion and member behavior (Kingdon 1973; Erikson 1978; Bartels 1991; Wright, Erikson, and McIver 1994; Ansolabehere, Snyder, and Stewart 2001; Theriault 2005 and 2008; Jessee 2009).

Despite this long-standing link between constituency opinion and member behavior, political scientists still debate whether the American people affect member voting behavior on presidential agenda items. In particular, the "presidential popularity hypothesis" is a point of great contention. One side of the debate finds that presidential popularity causes members to respond more favorably to the president (Edwards 1976, 1978, 1980, and 1997; Ostrom and Simon 1985; Rivers and Rose 1985; Rohde and

Simon 1985; Brace and Hinckley 1992). The other side argues that the relationship between presidential popularity is sometimes statistically significant, but always substantively meaningless (Bond and Fleisher 1984; Bond, Fleisher and Northup 1988; Edwards 1989; Mouw and MacKuen 1992; Collier and Sullivan 1995) and that controlling for party and ideology makes the relationship disappear entirely (Bond and Fleisher 1980, 1990). If constituencies clearly influence the voting decisions of members of Congress, why is the role of presidential popularity so unclear?

One problem in testing the presidential popularity hypothesis is the fact that members of Congress likely care about the president's popularity in their *constituency*, not his popularity in the nation at large.[3] Yet even scholars who recognize this problem sometimes fail to find a clear relationship between constituency-level presidential approval and member voting behavior (Cohen, Bond, Fleisher and Hamman 2000).[4] This chapter focuses on how "presidential strength," a measure of the president's *relative strength* in members' constituencies, affects members' *relative* levels of presidential support. The relationship between constituency-level presidential strength and members' presidential support helps resolve the debate over "the presidential popularity hypothesis" because presidential strength encompasses both constituency partisanship and the president's popularity in the constituency relative to other constituencies. If presidential

[3] A second problem is that presidents, acting rationally, will ask Congress for more when they are popular and less when they are unpopular. Thus, presidential success rates may be similar for both popular and unpopular presidents, but the size and scope of the presidents' legislative agendas will likely be larger when they are popular. Barret and Eshbaugh-Soha (2007) find that presidents with higher approval ratings have higher success affecting the substance of legislation.

[4] Other studies use less direct measures of constituency-level presidential popularity and find positive relationships between presidential approval and presidential support (Borrelli and Simmons 1993; Ponder and Moon 2005).

strength in members' constituencies influences members' votes on presidential agenda items, it suggests that the president's popularity with members' constituents can affect the president's ability to successfully build legislative coalitions.

I argue that the president's *relative* strength in members' constituencies affects members' *relative* level of presidential support, and that this effect is especially strong for vulnerable members of Congress. Political scientists often refer to vulnerable members as "marginal members." A clear consensus has yet to emerge regarding the relationship between member marginality and member voting behavior. Debate exists over whether marginal members of Congress have "vanished" (Mayhew 1974; Jacobson 1987; Ansolobehere, Brady and Fiorina 1992), and whether their alleged disappearance matters (Fiorina 1973 and 1974; Cohen and Brunk 1983; Bartels 1991; Groseclose 2001; Gulati 2004; Griffin 2006). In order for the disappearance of marginal members to matter, their participation in Congress must make a difference in legislative outcomes. In other words, we only care about the amount of marginal members in any given Congress if they somehow behave differently than other members. The "marginality hypothesis" maintains that marginal members do behave differently than other members, holding that **"**members from marginal districts will display more moderation in their voting behavior than those from safe districts" (Sullivan and Uslaner 1978, 536).

The accumulated evidence regarding the marginality hypothesis is inconclusive. A number of early studies supported the hypothesis that marginal members tend to be moderates (MacRae 1952; Froman 1963), while later studies failed to support that claim (Fiorina 1973 and 1974; Cohen and Brunk 1983; Groseclose 2001; Gulati 2004). A key

to understanding these conflicting results is Fiorina's (1973, 494) insight that "moderate relative to one's fellow legislators does not logically imply 'moderate relative to one's constituency'." If marginal members do behave differently than other members, we should expect that they will be more responsive than other members to their constituents' preferences. My approach takes Fiorina's insight into account by using constituency-level measures. I argue that the constituency's predisposition towards the president offers a clear signal to marginal members. When marginal members vote on presidential agenda items they follow their constituency's lead, voting with the president if he is strong in their constituency and voting against the president if he is not.

HOW MEMBERS OF CONGRESS RESPOND TO THE PRESIDENT'S AGENDA

This chapter tests the Constituency Hypothesis and the Vulnerability Hypothesis in order to demonstrate how constituency and vulnerability systematically affect members' response to the president's agenda. In particular, this test of the Vulnerability Hypothesis makes an important contribution to the scholarly literature, as it has yet to be systematically tested by others in this context and notable scholars have called for such a test (Edwards 2009).

For the empirical analysis presented in this chapter, the Constituency Hypothesis holds that members' presidential support scores will vary in accordance with the president's strength in their constituency.

> **The Constituency Hypothesis:** A member's presidential support score will increase as the president's strength in the member's constituency increases.

The Vulnerability Hypothesis holds that the relationship between constituency-level presidential strength and members' presidential support scores will be particularly strong for marginal members of Congress.

> **The Vulnerability Hypothesis:** Vulnerable members from constituencies with high levels of presidential strength will be more likely to support the president than other members. Vulnerable members from constituencies with low levels of presidential strength will be less likely to support the president.

DATA AND MEASUREMENT

The dataset used to test these hypotheses includes observations for each member of Congress from the 85th to 109th Congresses (1957 – 2007). The dependent variable, *Presidential Support*, is measured using *CQ*'s Presidential Support scores.[5] The statistical model includes independent variables for party, presidential strength, member vulnerability, and member ideology in the House. The Senate model uses these same

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[5] Edwards (1989) suggests refining *CQ*'s Presidential Support Scores to include only "non-consensual" votes. I examined the correlation between *CQ*'s measure and Edwards's measure in each individual Congress for the years included in this study. The correlation is almost always >0.9 and often >0.99, making the two measures nearly identical for the purposes of this chapter. With the research design employed in this chapter, the empirical results will be similar regardless of which measure is used. Edwards's measures are invaluable if we wish to compare individual presidents' success in Congress. My purpose is to look at the variance amongst members and demonstrate that the combination of presidential strength and member vulnerability makes certain members of Congress more likely to support the president than other members.

Presidential support scores raise another issue. Some scholars question the use of presidential support scores as evidence of presidential influence. The basic argument is that presidential support scores only measure how often members vote as the president would like them to vote, not how often the president actually influences such decisions (Pritchard 1985). Presidential support scores are an appropriate measure for this chapter because I wish to argue that party, presidential strength in members' constituencies, and members' electoral vulnerability all systematically affect members' propensity to support the president. I am not arguing that the president himself directly influences members' votes. Instead, I argue that constituency and vulnerability are systematic influences on member voting decisions, regardless of the president's actions.

variables, plus a reelection indicator variable for senators who face an election at the conclusion of the Congress in question. In addition, I include a term interacting presidential strength with members' electoral vulnerability.[6] The model is designed to provide a simple, straightforward test of the relationship between presidential support, presidential strength in members' constituencies, and member vulnerability, while controlling for the effects of party and ideology.

Presidential Party is an indicator variable that equals "1" if the member is from the president's party and "0" otherwise. *Presidential Strength* is measured using the president's two-party vote share in the state's or district's last presidential election. I discuss this variable in detail below. *Member Vulnerability* is operationalized by a fluid measure that ranges from 0 if a member runs unopposed to 0.999 if a member wins with just over 50 percent of the two-party vote in their state or district.[7] This fluid measure of member vulnerability is preferable to establishing an arbitrary cut-point of 55 percent or 60 percent at which one declares a member "vulnerable." When studies use such arbitrary

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[6] All independent variables range from 0 – 1, while the dependent variable ranges from 0 – 100. The model is designed to provide a simple, straightforward test of the relationship between presidential strength in members' constituencies, member vulnerability, and presidential support. Achen (2002, 446) argues that "a statistical specification with more than three explanatory variables is meaningless" because there is no way to tell if regressions with more than a few independent variables actually fit the data. Close examination of the dependent and independent variables confirm that the empirical model presented in this chapter fits the data quite well. While there is no doubt that factors such as demographics and geography help determine a constituency's predisposition towards the president, controlling for these variables does not add much to our understanding of how members' electoral incentives interact with constituency influences to affect congressional voting behavior.

[7] In mathematical terms, the measure equals (1 – Win Margin); where Win Margin equals [(winner's vote – loser's vote)/(winner's vote + loser's vote)]. For example, if a member wins with 51% of the two-party vote her win margin is 0.02 and her vulnerability measure is 0.98. Conversely, if a member wins with 100% of the vote, her win margin is 1 and her vulnerability measure is 0.

criteria, their findings are dependent upon which criteria they use to define "marginality" (Jacobson 1987, Ansolobehere, Brady and Fiorina 1992). *Reelection* is only included in the Senate model. It is equal to "1" if a senator is up for reelection in the coming electoral cycle, and "0" otherwise. *Ideology* is simply the member's DW-NOMINATE score.

Finally, interaction of *Member Vulnerability* and *Presidential Strength* is the product of the presidential strength and member vulnerability variables. The logic behind this interaction term is that members with the highest scores will be very vulnerable members from constituencies where the president is strong. A member who represents a constituency with high presidential strength, 60 percent for example, and barely won their previous election with 50.1 percent of the vote will have a score of 0.596 on the interaction term. On the other hand, a member who represents a constituency with low presidential strength, 40 percent for example, and barely won their previous election will have a score of 0.399 on the interaction term. If the Vulnerability Hypothesis is correct, members with higher scores on the interaction term should have higher presidential support scores than other members, all else equal.

PRESIDENTIAL STRENGTH

Presidential strength in a member's state or district is the constituency's predisposition toward the president, as it compares to the president's strength in other constituencies throughout the nation. I use the president's vote share in a member's constituency to measure presidential strength, which is comprised of two factors: 1) the

constituency's partisan composition and 2) the president's popularity in the constituency, relative to his popularity in other constituencies. The use of presidential vote share as a proxy for district partisanship is a well-established convention in the political science literature (Schwarz and Fenmore 1977; Erikson and Wright 1980). In addition to gauging a constituency's partisanship, presidential vote share also assesses the president's popularity in the constituency, relative to his popularity in other constituencies. Presidential popularity waxes and wanes throughout the course of a president's term, but the distribution of presidential popularity across constituencies is relatively stable.

While the mean of presidential popularity fluctuates during a president's time in office, its variance across constituencies is relatively stable. Figure 4.1 displays the correlation between state-level presidential vote share and state-level presidential approval from May 2005 through November 2006.[8] The correlation is above 0.9 in all but one month. Moreover, in Gallup's "State of the States" study, the correlation between President Obama's state-level vote share and his yearly state-level approval numbers is 0.932 in 2009 and 0.91 in 2010. This high correlation between constituency-level presidential vote share and constituency-level presidential approval suggests that the presidential strength measure explains how both 1) constituency partisanship, and 2) presidential popularity in the constituency, relative to other constituencies, influences the voting behavior of members of Congress on presidential agenda items.

[8]I use only 2005 and 2006 are the only years in which SurveyUSA conducted monthly presidential approval in all 50 states.

For a final example, consider presidential popularity in Massachusetts (one of the bluest blue states) and Oklahoma (one of the reddest red states) in 2009 and 2010. Between 2009 and 2010, President Obama's approval fell 11.6 percent in Massachusetts and 11.4 percent in Oklahoma (Gallup). While President Obama's approval rating fluctuated in these two states between 2009 and 2010, it fluctuated in a nearly identical manner.

TESTING THE INFLUENCE OF CONSTITUENCY AND VULNERABILITY

To test the hypotheses, I perform linear regressions with members' presidential support as the dependent variable. I performed these regressions both pooling the data and separating it by Congress. Pooling data allows for the simplest and clearest analysis, but pooling data is not always an appropriate methodological approach. Pooling data is only appropriate if the data are "exchangeable," which means that one must be able to assume that the relationship between the dependent and independent variables is the same at all points in time. With these concerns in mind, my methodological strategy attempts to balance the statistical requirement of exchangeability with the clarity and simplicity offered by pooling data.

Appendix 4A displays the relationship between presidential vote share, member vulnerability, and presidential support in the House for each Congress from 1957 to 2007. Appendix 4A shows that pooling the data would not be appropriate in the House because the relationships between the dependent and independent variables are quite different at

different points in time. Overall, the estimates appear to vary between two time periods. Within these time periods, pooling the data is justifiable because the relationship between the dependent and independent variables is quite similar within each time period. Accordingly, for the House I present and discuss results from pooled regressions from the 85th to the 98th Congress (1957 - 84), and the 99th to the 109th Congress (1985 - 2007). As for the Senate, pooling the entire timeframe seems more appropriate. Appendix 4B displays the relationship between presidential vote share, member vulnerability, and presidential support in the Senate by Congress. The results from individual Congresses suggest that the observations are exchangeable across all congressional sessions under investigation. As a result, I present results from the pooled Senate analysis for reasons of simplicity and clarity.

Constituency, Vulnerability, and Presidential Support in the House

Table 4.1 presents the results of the empirical analysis for the House.[9] As expected, party has a strong effect on presidential support scores in both time periods. Due to the presence of the interaction term, I calculate and present the effect of presidential strength for members with the mean level of vulnerability. Similarly, I calculate vulnerability's effect on members from constituencies with the mean level of presidential strength. Even after controlling for party's strong relationship with

[9] When reporting results from models with interaction terms, it is not appropriate to interpret the coefficients of the lower-order variables as unconditional marginal effects (Braumoeller 2004, Brambor, Clark and Golder 2006). Accordingly, I calculate the effect of presidential strength for members with the mean level of vulnerability. Similarly, I calculate vulnerability's effect on members with the mean level of presidential strength. In Tables 4.1 and 4.3, I present coefficients and standard errors for these effects instead of presenting the coefficients and standard errors of the lower-order variables.

members' presidential support scores, the empirical evidence appears to support the Constituency and Vulnerability Hypotheses, especially in the later time period.

Presidential strength in a member's constituency is sizeable influence on members' presidential support scores. As first noted by Edwards (1976, 1978), the president's vote share in a member's district is strongly associated with presidential support. For members with mean levels of electoral vulnerability, presidential strength has a statistical and substantive relationship with presidential support scores in both time periods under investigation in the House of Representatives. The effect of presidential strength for mean members in the first time period (1957 – 84) is around 27, which means that a 10 percent increase in the president's vote share in a member's district is associated with a 2.7 percent increase in the member's presidential support score.[10] In the second time period (1985 – 2007), this effect is even stronger. The coefficient of 58 means that a 10 percent increase in the president's vote share in a member's district is associated with a 5.8 percent increase in a member's presidential support score. Even after controlling for party and ideology, the president's strength in members' constituencies has a strong effect on members' propensity to support the president.

The evidence in support of the Vulnerability Hypothesis in the House is a bit more nuanced. First, member vulnerability is statistically related to the presidential support scores of House members from constituencies with average levels of presidential strength in both time periods under investigation. The relationship is positive in the first

[10] A coefficient of 10 on this variable would mean that an increase of 10% in the president's vote share in a member's constituency leads to a 1% increase in that member's presidential support score, while a coefficient of 100 would equal a 10% increase in presidential support for every 10% increase in the president's vote share.

time period (1957 – 84), and negative in the second time period (1985 – 2007). Second, the term interacting member vulnerability and presidential strength in the constituency is not statistically significant in the first time period, but it is strongly significant in the second time period. To fully understand the results from the House analysis, it is helpful to examine the substantive effects of constituency and vulnerability. First, I discuss the marginal effects of constituency and vulnerability. Second, I present predicted presidential support scores for members with different levels of vulnerability, and differing levels of presidential strength in their constituencies.

Table 4.2 displays the marginal effects of vulnerability and constituency for both the House and the Senate, while Figure 4.2 displays the marginal effect of constituency-level presidential strength in the House, conditional on different levels of member vulnerability.[11] If the Vulnerability Hypothesis is correct, constituencies should exert a greater influence on the presidential support scores of highly vulnerable members than they do on safe members. This expectation holds true in both time periods under investigation (see Table 4.2 and Figure 4.3). Vulnerable members of the House and Senate are more sensitive than safe members to the president's strength in their constituencies.

The strongest evidence for the Vulnerability Hypothesis exists if vulnerability has a negative effect on members from constituencies where the president is weak, and vulnerability has a positive effect on members from constituencies where the president is

[11] I use the 5th percentile of member vulnerability to calculate "low member vulnerability" and the 95th percentile to calculate "high member vulnerability."

strong. This expectation holds true for both time periods (see Figure 4.3), but only in the second time period are the marginal effects of vulnerability statistically significant for members from both types of constituencies (see Table 4.2). In the time period from 1985 to 2007, vulnerable members of the House from constituencies with low presidential strength vote with the president less often than other members. On the other hand, vulnerable members from constituencies where the president is strong vote in support of the president's position more often than other members. Constituency-level presidential strength is a strong influence on representatives' votes in both time periods. Vulnerable representatives are particularly sensitive to constituency-level presidential strength in the later time period, from 1985 to 2007. Even in today's highly polarized era in executive-legislative relations, vulnerable members of Congress will vote against their party caucus's position on presidential agenda votes if their constituents demand it.

Last, I perform a final test of the substantive importance of constituency and vulnerability in the House. I calculate predicted presidential support scores for two types of members: 1) highly vulnerable members from constituencies with low presidential strength and 2) highly vulnerable members from constituencies with high presidential strength.[12] I compare the predicted presidential support scores for these highly vulnerable members to predictions for members with mean levels of both vulnerability

[12] I use the 95th percentile of vulnerability in each Congress for the calculations regarding "vulnerable members." I use the 5th percentile of presidential vote share to calculate "low presidential strength" and the 95th percentile to calculate "high presidential strength." Furthermore, I use the distribution for each party's caucus when calculating the predicted presidential support scores. For example, when I calculate predicted presidential support scores for opposition party member with "high presidential strength" I use the 95th percentile of the presidential vote share variable for opposition party members only, and not the entire House. I use the same method to calculate predicted presidential support scores for presidential party members.

and presidential vote share. If the Vulnerability Hypothesis is correct, vulnerable members from constituencies with low presidential strength should have the lowest presidential support scores, while vulnerable members from constituencies with high presidential strength should have the highest. This expectation holds true for both time periods (see Figure 4.4). While the expectation holds true in both time periods, the substantive effects of constituency and vulnerability are especially strong in the second time period (1985 – 2007).

Today's Congress is a highly partisan affair, with conditions of interparty homogeneity and intraparty heterogeneity leading to some of the most polarized congressional parties in American history (Sinclair 2006; Theriault 2008). Despite this extraordinarily high level of polarized partisan behavior in Congress, the combination of constituency and vulnerability can have a large substantive effect on members' propensity to support the president (see Figure 4.4). First, comparing vulnerable opposition party members from constituencies with low presidential strength to similarly vulnerable opposition party members from constituencies with high presidential strength, the combined effect of constituency and vulnerability in the second time period (1985 – 2007) is more than 30 percentage points! This effect is almost as large as party's effect (35.8 percentage points). The substantive effect of constituency and vulnerability is a bit smaller for presidential party members at the extremes of presidential strength, but at more than 20 percentage points it is still quite significant.

Second, vulnerable members of both parties from constituencies where the president is strong have average presidential support scores that are about 10 percentage

points higher than their fellow partisans with mean levels of vulnerability and presidential strength. Third, comparing vulnerable members from constituencies where the president is weak to average members of their party, the effect is more than 20 percentage points for opposition party members, and about 10 percentage points for presidential party members. In sum, the combination of constituency and vulnerability can affect presidential support scores by about 10 to 30 percentage points from 1985 to 2007. This effect is about one-third to four-fifths as strong as party's effect. Even during one of the most partisan periods in congressional history, constituency and vulnerability are important influences on members' votes in the House.

Constituency, Vulnerability, and Presidential Support in the Senate

Vulnerability and presidential strength operate similarly in the Senate (see Table 4.3). Constituency has a rather large substantive effect on senators' presidential support scores. Presidential strength's coefficient (49.0) for senators with mean levels of vulnerability indicates that every 10 percentage point increase in the president's vote share in a senator's state is associated with a 4.9 percentage point increase in the senator's presidential support score. As expected, the constituency's influence on senators' propensity to support the president grows larger as senators' electoral vulnerability increases. The marginal effects of constituency and vulnerability are quite substantial in the Senate (see Table 4.2 and Figure 4.5). The coefficient for presidential strength is 20.0 for safe senators, 49.0 for average senators and 56.3 for highly vulnerable senators. As the Constituency Hypothesis suggests, the president's strength in senators'

constituencies affects their propensity to support the president. And as the Vulnerability Hypothesis suggests, this constituency effect grows larger as senators become more electorally vulnerable.

Vulnerability has an independent effect on senator voting behavior as well. The reelection indicator variable is negative and significant, suggesting that senators up for reelection in the coming electoral cycle support the president a bit less often than others. Moreover, for senators from states with average levels of presidential strength, the member vulnerability coefficient is positive and significant at the $p<0.1$ level. On its own, vulnerability's substantive effect is not particularly impressive. The coefficient (1.9) suggests that a highly vulnerable senator will have a presidential support score that is about 2 percentage points higher than a completely safe senator's presidential support score.

Again, the strongest evidence for the Vulnerability Hypothesis exists if vulnerability has a negative effect on senators from states where the president is weak, and a positive effect on senators from states where the president is strong. This expectation holds true in the Senate (see Table 4.2 and Figure 4.5).

Finally, as in the House analysis, I calculate predicted presidential support scores for 1) highly vulnerable senators from states where the president is weak, and 2) highly vulnerable senators from states where the president is strong. I then compare these predictions to the predicted presidential support scores of senators with average levels of vulnerability representing states with average levels of presidential strength. The combined effect of constituency and vulnerability in the Senate is smaller than it is in the

House, but it is still substantively significant (see Figure 4.6). At the extremes, highly vulnerable senators from states where the president is strong have predicted presidential support scores that are about 15 percentage points higher than the predicted presidential support scores of vulnerable senators from states where the president is weak. Further, comparing vulnerable senators to average senators, the effect of constituency and vulnerability is between 6 to 9 percentage points.

For purposes of comparison, party's effect in the Senate is just under 30 percentage points. Thus, the combination of constituency and vulnerability can have an effect on senators' presidential support scores that is about one-fifth to one-half as strong as party's effect. While party is certainly a powerful influence on senators' voting behavior on presidential agenda items, ignoring the effects of constituency and vulnerability causes one to miss a significant amount of variation amongst senators. It is important to understand these senators who defect from their party caucus on presidential agenda items, because they are often critical to the president's legislative success as a result of cloture requirements in the Senate. Presidents often succeed when they capture the votes of these senators, and fail when these senators vote against the president's agenda.

CONCLUSION

The empirical analysis presented in this chapter finds that the president's strength in members' constituencies affects their decisions to support or oppose the president on the floor of Congress. This systematic relationship between constituency-level

presidential strength and members' presidential support is especially pronounced for electorally vulnerable members. This analysis makes theoretical and normative contributions to our understanding of presidential coalition building in Congress. Theoretically, it is the first study to systematically investigate whether vulnerable members of Congress behave differently than safe members on presidential agenda votes, an investigation that is often called for in discussions of executive-legislative relations (Edwards 2009). Second, this inquiry uses constituency-level measures to help clarify two contested debates in political science; the presidential popularity hypothesis and the marginality hypothesis. This theoretical contribution expands our understanding of executive-legislative relations beyond party-based explanations, and offers a complete theory of how presidents win in Congress by capturing important (and too often overlooked) congressional behavior. This theory thus suggests that policy outputs in Congress will be moderate compromises instead of ideologically extreme bills passed by the majority party alone. Normatively, this study provides evidence that norms of representation and democratic accountability are alive and well in the American system.

Understanding the systematic relationship between member vulnerability, presidential strength, and presidential support helps make sense of the ongoing debate over the presidential popularity hypothesis. Political scientists debate whether the president's standing with the public affects congressional behavior. I use constituency-level measures and find that presidential strength does affect members' voting behavior. It is important to remember which type of public opinion members of Congress consider when making their voting decisions. They are more concerned about the president's

strength in their constituencies than they are about his standing in the nation at large. All else equal, if the president is strong in a member's constituency, that member will support the president more often than if the president is weak.

Using constituency-level measures of presidential strength also adds to our understanding of the much maligned marginality hypothesis. In comparison to safer members of Congress, marginal members are especially responsive to their constituency on presidential agenda items. Marginal members wish to cast roll-call votes on the House and Senate floor that will win them a plurality of their electorates' votes on the next Election Day. They attempt to cast such roll-call votes by following their constituency's lead on presidential agenda items.

Figure 4.1: Correlation Between State-Level Presidential Vote Share and State-Level Presidential Approval

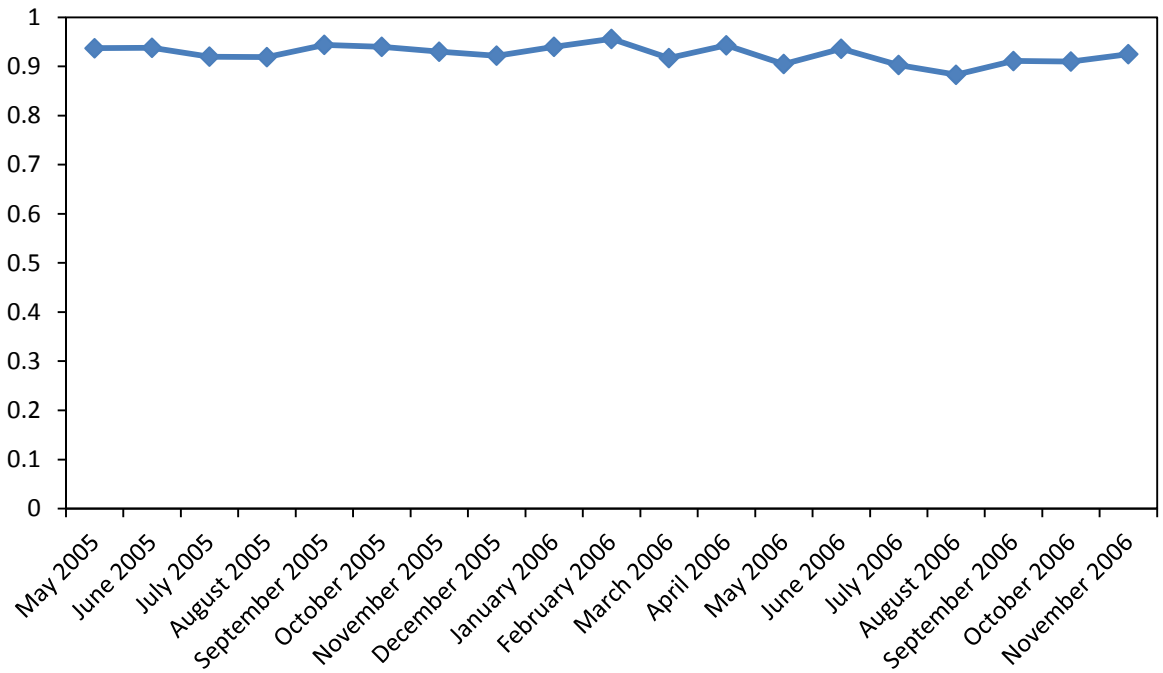


Table 4.1: *Testing the Constituency Hypothesis and the Vulnerability Hypothesis in the House of Representatives*

	85th - 98th Congress	**99th - 109th Congress**
Presidential Party	21.9***	35.9***
	(0.38)	(0.42)
Presidential Strength	27.3***	57.9***
	(1.85)	(1.73)
Member Vulnerability	4.9***	-2.04***
	(0.63)	(0.5)
Member Vulnerability * Presidential Strength	-1.68	29.5***
	(4.88)	(3.74)
Ideology	-11.6***	4.4***
	(0.57)	(3.74)
Constant	23.1	13.6
	(1.55)	(0.93)
R^2	0.47	0.79
N	5,918	4,680

Notes: Table presents OLS estimates. The dependent variable is the member's presidential support score. Presidential Strength coefficients and standard errors are reported at mean level of Member Vulnerability. Member Vulnerability coefficients and standard errors are reported at mean level of Presidential Strength.

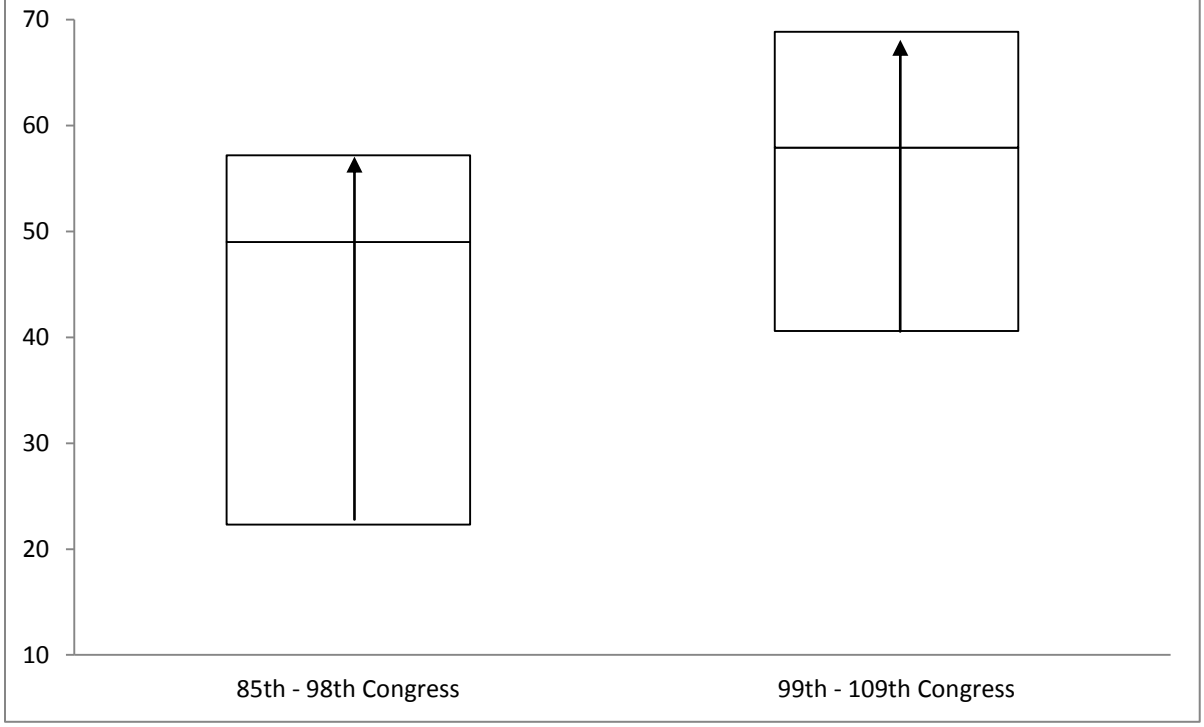
*** p<.01, ** p<.05, * p<.1 (two-tailed tests)

Table 4.2: *The Marginal Effect of Presidential Vote Share and Member Vulnerability on Presidential Support Scores in the House and Senate*

	House		Senate
	85th - 98th Congress	**99th - 109th Congress**	**85th - 109th Congress**
Presidential Vote Share			
Low Member Vulnerability	22.3***	40.6***	20.0***
Mean Member Vulnerability	49.0***	57.9***	47.8***
High Member Vulnerability	57.2***	68.9***	56.3***
Member Vulnerability			
Low Presidential Vote Share	-3.31	-9.2***	-3.32*
Mean Presidential Vote Share	1.74	-2.04***	1.94*
High Presidential Vote Share	6.83***	3.67***	7.23***

Note: *** p<.01, ** p<.05, * p<.1 (two-tailed tests)

Figure 4.2: The Marginal Effect of Presidential Strength on Presidential Support Scores in the House of Representatives



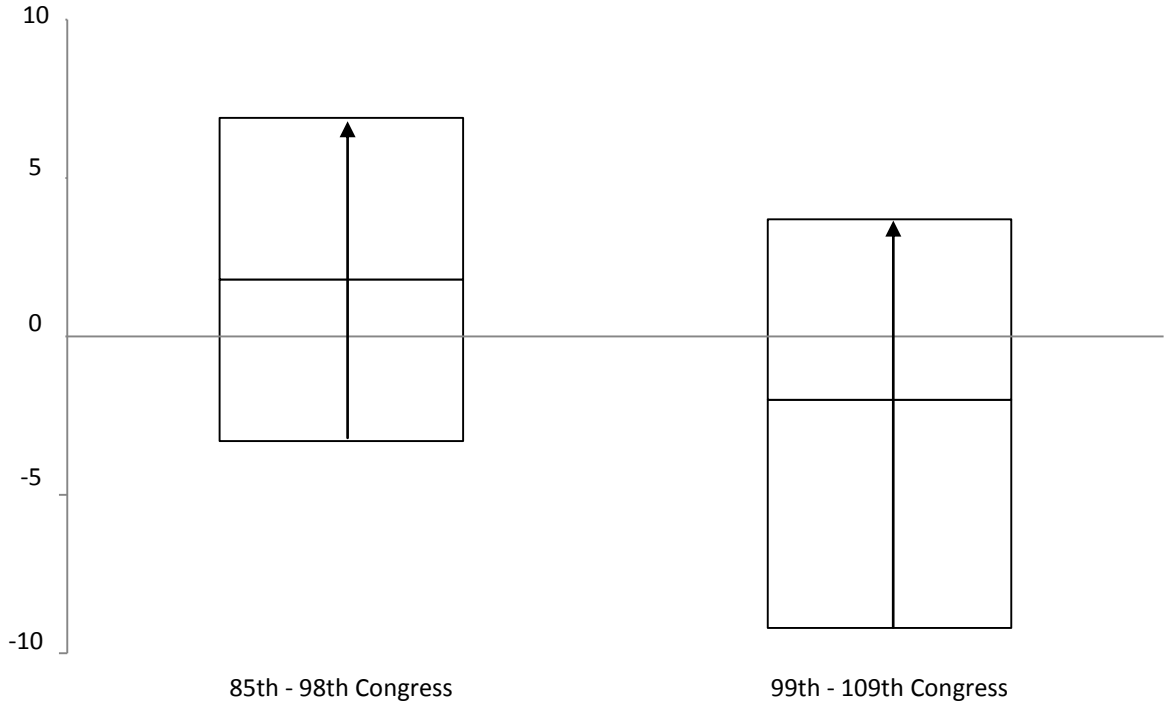
1) The bottom line of each bar represents the marginal effect of presidential strength for members of Congress with low vulnerability.

2) The middle line of each bar represents the marginal effect of presidential strength for members of Congress with mean vulnerability.

3) The top line of each bar represents the marginal effect of presidential strength for members of Congress with high vulnerability.

4) The upward arrow indicates that the marginal effect of presidential strength increases as a member's electoral vulnerability increases.

Figure 4.3: The Marginal Effect of Vulnerability on Presidential Support Scores in the House of Representatives



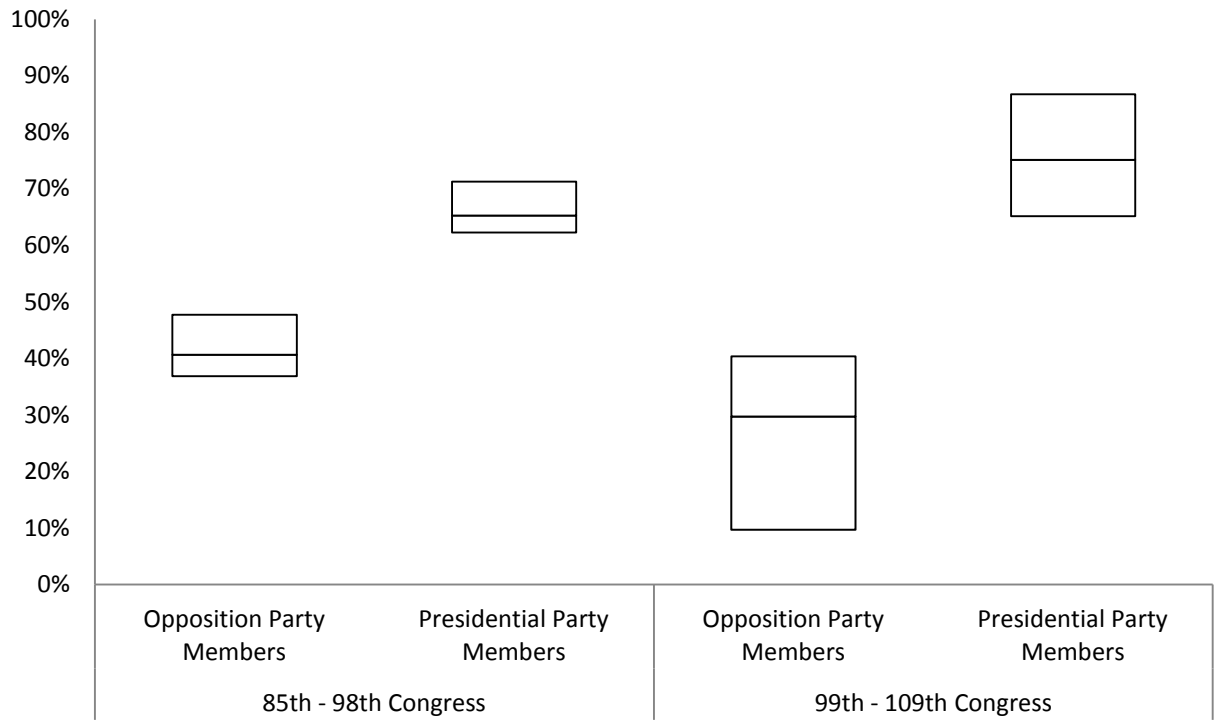
1) The bottom line of each bar represents the marginal effect of vulnerability for members of Congress representing constituencies with low presidential strength.

2) The middle line of of each bar represents the marginal effect of vulnerability for members of Congress representing constituencies with mean presidential strength.

3) The top line of of each bar represents the marginal effect of vulnerability for members of Congress representing constituencies with high presidential strength.

4) The upward arrow indicates that the marginal effect of vulnerability increases as the president's strength in a member's constituency increases.

Figure 4.4: Predicted President Support Scores, and the Substantive Effect of Constituency and Vulnerability in the House of Representatives



1) The bottom line of each bar represents the predicted presidential support score for members with a) high vulnerability, and b) low presidential strength in their constituency.

2) The middle line of each bar represents the predicted presidential support score for members with a) mean vulnerability, and b) mean presidential strength in their constituency.

3) The top line of each bar represents the predicted presidential support score for members with a) high vulnerability, and b) high presidential strength in their constituency.

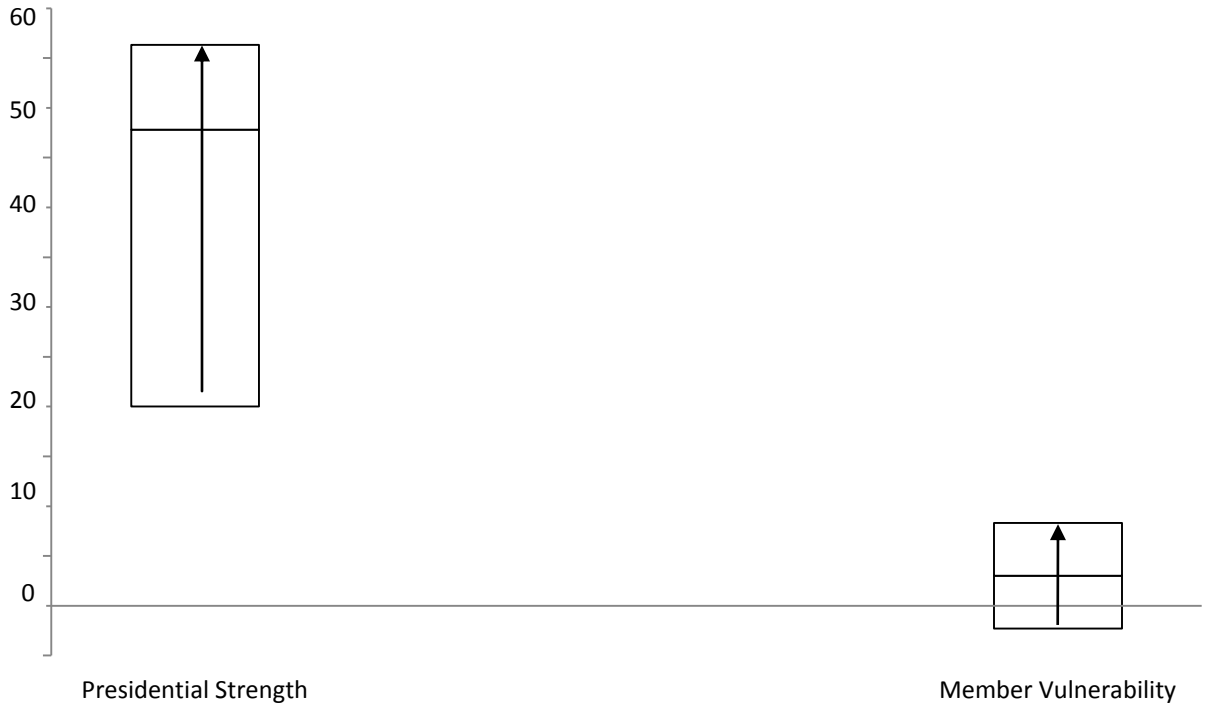
Table 4.3: *Testing the Constituency Hypothesis and the Vulnerability Hypothesis in the Senate*

	85th - 109th Congress
Presidential Party	28.2***
	(0.54)
Presidential Strength	49.0***
	(3.31)
Member Vulnerability	1.74
	(1.3)
Member Vulnerability * Presidential Strength	35.3***
	(12.4)
Up for reelection	-1.62***
	(0.52)
Ideology	-1.49**
	(0.65)
Constant	31.9
	(4.24)
R^2	0.51
N	2,339

Notes: Table presents OLS estimates. The dependent variable is the senator's presidential support score. Presidential Strength coefficients and standard errors are reported at mean level of Member Vulnerability. Member Vulnerability coefficients and standard errors are reported at mean level of Presidential Strength.

*** p<.01, ** p<.05, * p<.1 (two-tailed tests)

Figure 4.5: The Marginal Effects of Presidential Strength and Member Vulnerability on Presidential Support Scores in the Senate

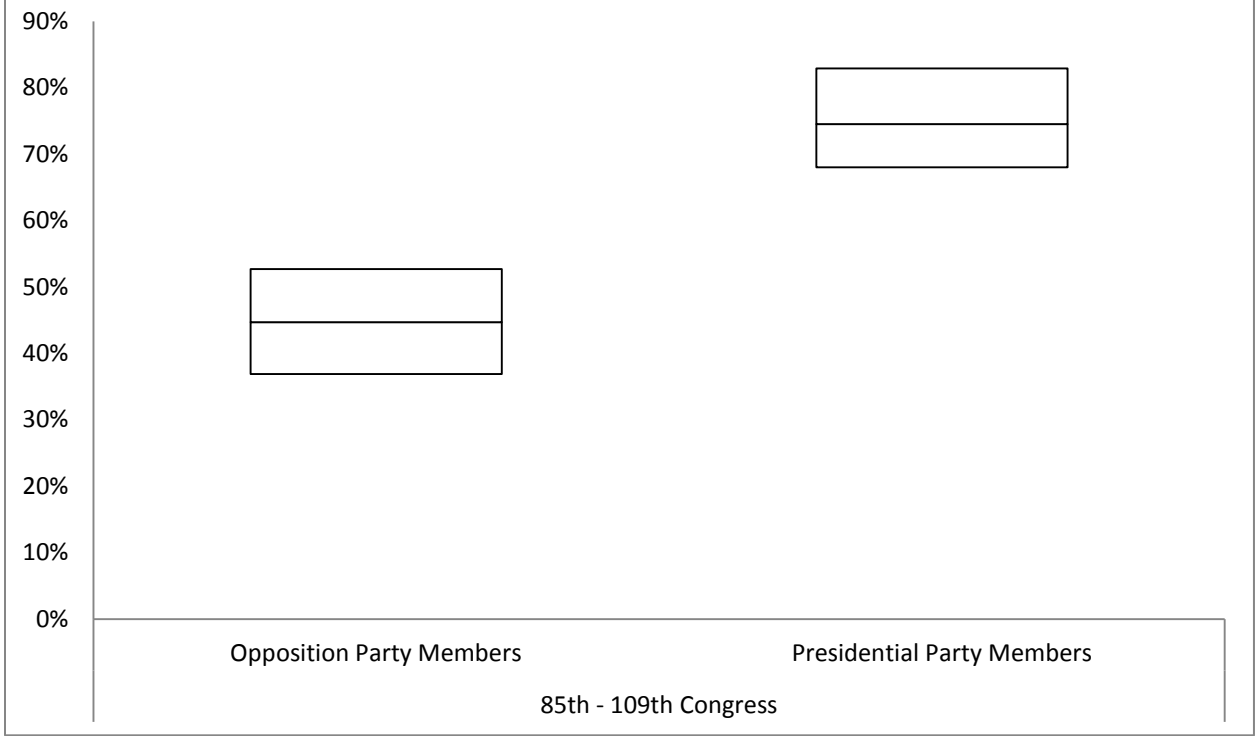


1) The bottom line of the lefthand bar represents the marginal effect of presidential strength for senators with low vulnerability. The bottom line of the rightthand bar represents the marginal effect of vulnerability for senators representing states with low levels of presidential strength.

2) The middle line of the lefthand bar represents the marginal effect of presidential strength for senators with mean vulnerability. The middle line of the rightthand bar represents the marginal effect of vulnerability for senators representing states with mean levels of presidential strength.

3) The top line of the lefthand bar represents the marginal effect of presidential strength for senators with high vulnerability. The top line of the rightthand bar represents the marginal effect of vulnerability for senators representing states with high levels of presidential strength.

Figure 4.6: Predicted President Support Scores, and the Substantive Effect of Constituency and Vulnerability in the Senate



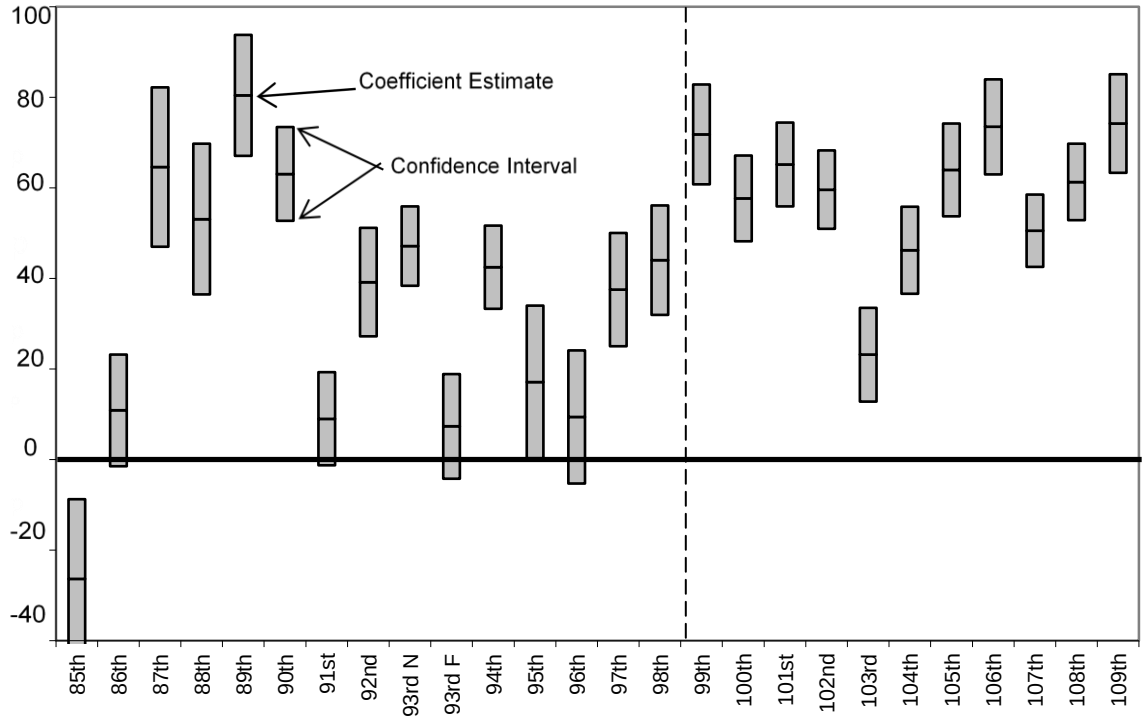
1) The bottom line of each bar represents the predicted presidential support score for senators with a) high vulnerability, and b) low presidential strength in their state.

2) The middle line of each bar represents the predicted presidential support score for senators with a) mean vulnerability, and b) mean presidential strength in their state.

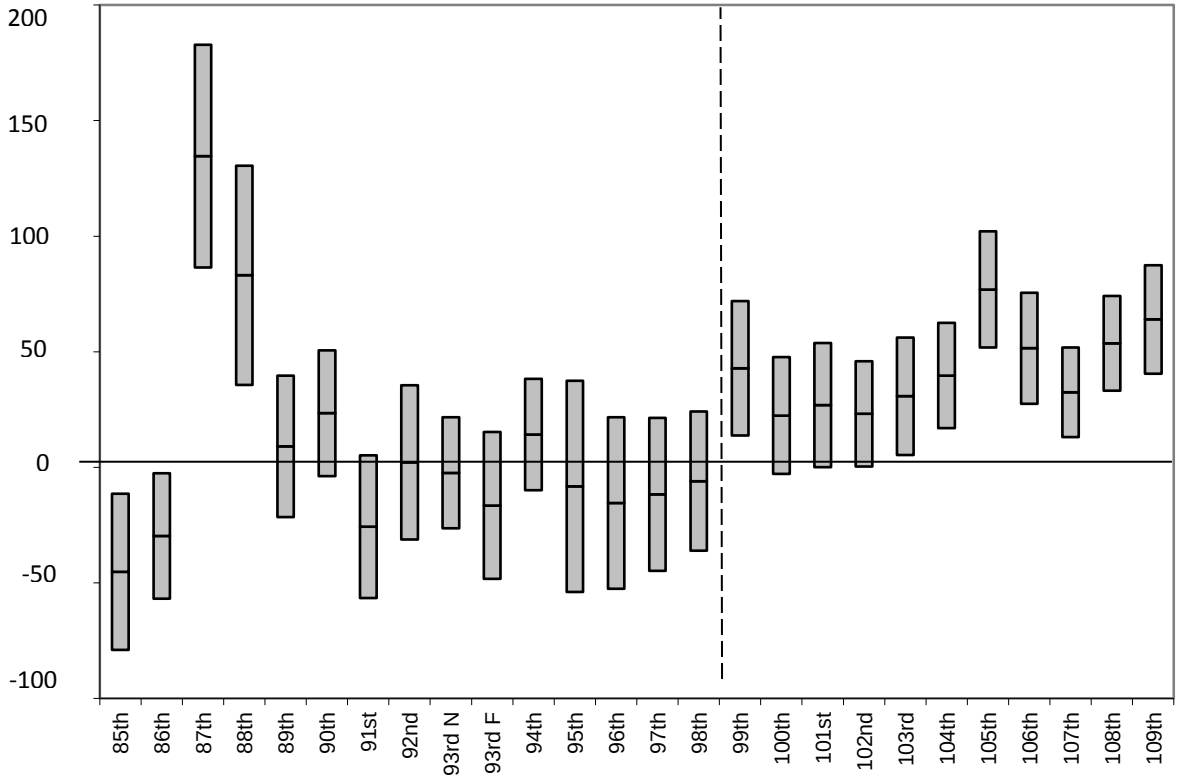
3) The top line of each bar represents the predicted presidential support score for senators with a) high vulnerability, and b) high presidential strength in their state.

Appendix 4A: *The Effect of Presidential Strength and (Member Vulnerability * Presidential Strength) in the House, 85th - 109th Congresses*

Panel A: Presidential Strength

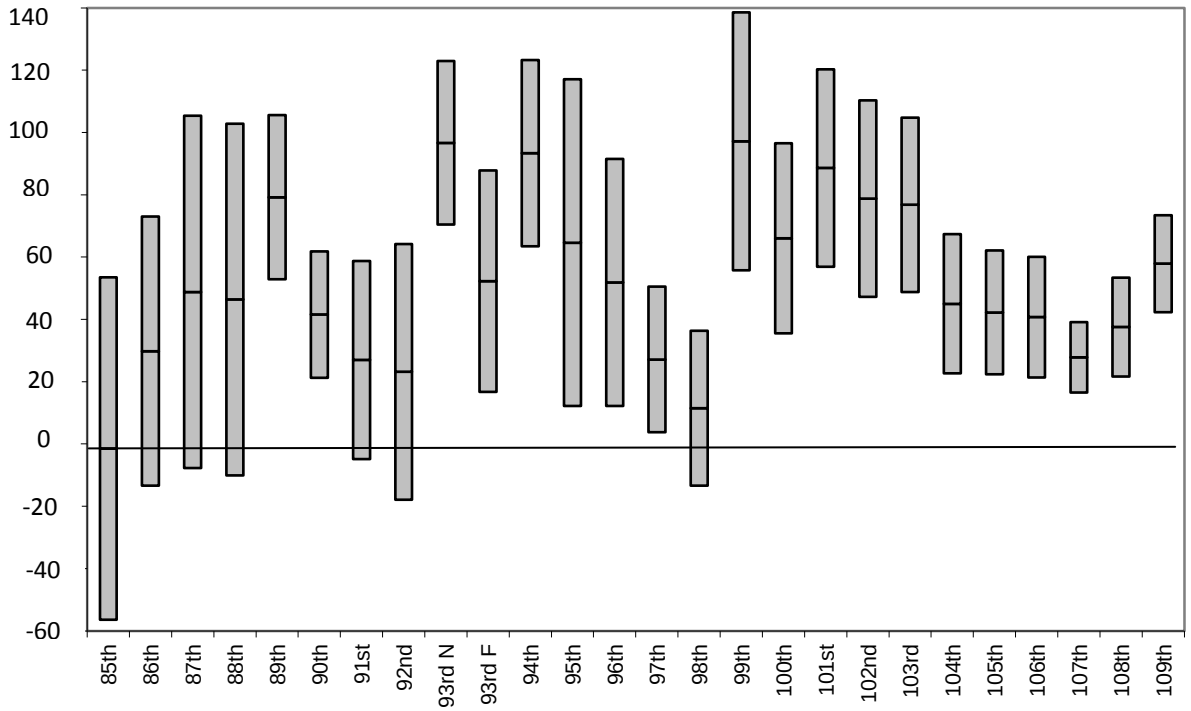


*Panel B: (Member Vulnerability * Presidential Strength)*

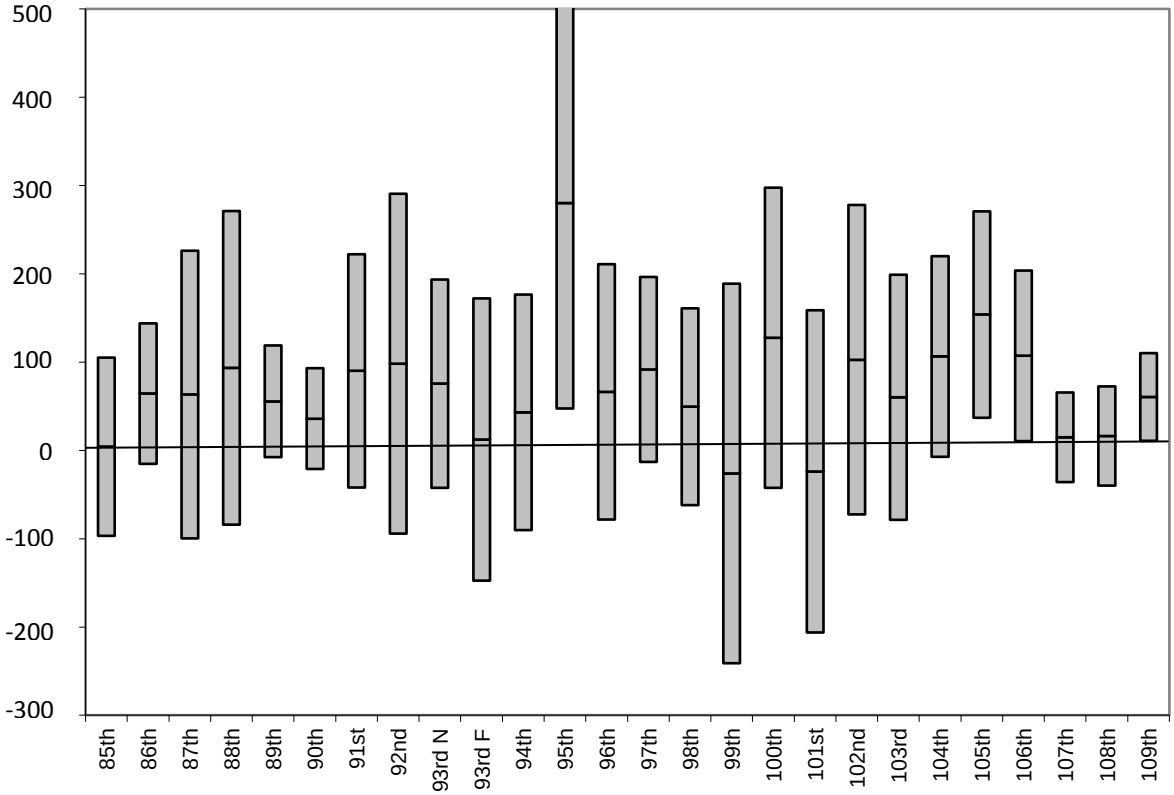


Appendix 4B: *The Effect of Presidential Strength and (Member Vulnerability * Presidential Strength) in the Senate, 85th - 109th Congresses*

Panel A: Presidential Strength



*Panel B: (Member Vulnerability * Presidential Strength)*



Chapter 5: Beyond Pivotal Politics – Constituencies, Electoral Incentives, and Challenged Vetoes

President George H.W. Bush famously employed a veto strategy in the 101st and 102nd Congress in order to project strength and defend "his party and his powers" (Mullins and Wildavsky 1992, p. 36). This strategy served President Bush rather well until he suffered a serious defeat at the end of his time in office. On September 17, 1992, the House of Representatives adopted the conference report on S12, the Cable Television Consumer Protection and Competition Act of 1992, by a margin of 280 to 128 (*CQ* Almanac 1992). This margin barely surpassed the two-thirds majority needed to override the president's veto, setting up a highly public confrontation between Congress and the president when Bush vetoed the bill on October 3, 1992, in the midst of his reelection campaign. The White House "stressed loyalty to the president as the main reason why Republicans should switch" their votes on the cable bill and vote to sustain the president's veto (*CQ* Almanac 1992). In the end, the White House lost this argument as the House overrode the president's veto by a margin of 308-114. On perhaps the highest profile veto of Bush's presidency, zero members of the House switched their votes to support his position while 32 members either switched their votes to defect from the president's coalition, or abstained on the final passage vote and voted against the president during the veto override attempt. This crushing legislative defeat helped cripple Bush's already weak campaign for reelection. President Bush lost both the cable battle in October and the electoral war in November.

Political science currently offers two primary explanations for member behavior on presidential agenda items. The two dominant arguments assert that members respond to the president based on party (Edwards 1980 and 1989, Bond and Fleisher 1980, 1984 and 1990) and ideology (Bond and Fleisher 1990, Poole and Rosenthal 1997, Krehbiel 1998). Neither explanation fully accounts for member behavior on the Cable Television Consumer Protection and Competition Act of 1992. First, Democrats held 270 seats in the 102nd Congress (61%), and therefore needed Republican assistance in order to override President Bush's veto. Second, ideological explanations do not accurately describe member behavior on S12 in 1992. Krehbiel's (1998) theory of "pivotal politics" is the dominant ideological explanation of vote switching during challenged vetoes. Krehbiel argues that members who switch their votes on challenged vetoes should come from a certain portion of the ideological spectrum as measured by DW-NOMINATE scores. He refers to this region as "the veto pivot quintile." Of the 32 members who either changed their votes to defect from President Bush's coalition or abstained on the final passage vote and then voted for S12 during the veto override attempt, only four come from "the veto pivot quintile." In fact, the members who changed their votes on S 12 come from all over the ideological spectrum as captured by DW-NOMINATE scores. In this chapter, I argue that in order to more accurately predict and explain members' response to the president's agenda, political science must consider how constituency influence and member vulnerability affect members' voting decisions on challenged vetoes.

The high stakes politics surrounding veto override attempts offer an ideal opportunity to study the president's influence in Congress. This chapter analyzes member voting behavior on vetoes that Congress attempts to override, which I refer to as "challenged vetoes." A bill's content is identical on both final passage and override votes, yet some members of Congress vote differently on these two roll-calls. I argue that constituency and electoral vulnerability cause some members to change their votes on challenged vetoes. Presidential strength, which measures the constituency's predisposition towards the president for each member of Congress, has an enduring effect on which members are most likely to join the president's coalition during challenged vetoes. Cameron (2000) examines veto power at the macro-level and finds that the veto's existence as an institutional rule can cause Congress to modify legislation both in anticipation of a potential veto, and after the president issues a veto. I build on these findings by examining the behavior of the individual members of Congress whose support the president needs in order to successfully veto legislation.

Krehbiel (1998, 163) is one of few to study the veto's effect at the individual level. He finds that "postwar presidents do seem to exert a positive influence over individual legislators in the veto arena." He focuses on legislators in "the veto pivot quintile" and finds that, on average, presidents can gain "one vote of every eight" from these legislators. My analysis goes beyond the focus on "pivotal politics" alone and investigates how constituency and electoral vulnerability influences legislators to switch their votes between final passage and the veto override attempt. The pivotal politics argument suggests that about 12 percent (Krehbiel's one out of every eight) of the

members within the veto pivot quintile switch their votes to join the president's coalition on veto override attempts. I build upon this finding with an argument that helps understand and predict which members inside the veto pivot will be among the 12 percent who join the president's coalition. Further, many legislators outside of the veto pivot quintile change their voting behavior as well. What motivates these members? It cannot be simply ideological considerations. Something else must be at work. I attempt to offer a more precise explanation of vote switching during challenged vetoes. I find that the president's ability to win members' support on challenged vetoes is affected by party, ideology, members' electoral vulnerability, and the president's strength in members' constituencies.

This chapter proceeds by first explaining the need to go beyond ideology-based explanations of member voting behavior on challenged vetoes. Next, I test the Constituency Hypothesis, the Vulnerability Hypothesis, and the Safety Hypothesis by analyzing vote switching on challenged vetoes. I conclude by offering thoughts on how appreciating the substantive effect of constituency and vulnerability provides both theoretical and normative insight on the relationship between Congress, the president, and the American people.

WHY GO BEYOND PIVOTAL POLITICS?

In *Pivotal Politics,* Krehbiel develops an elegant model describing how enacting coalitions form. This model argues that members at and around the "veto pivot" are critical because legislative coalitions must include these members in order to override the president's veto. One set of tests of the model, featured in Chapters 6 and 7, divides

members into quintiles based on their DW-NOMINATE scores and investigates whether members in some quintiles behave differently than others on votes in a veto chain. These analyses find that the voting behavior of members in the veto pivot quintile differs from the behavior of members outside this quintile in a statistically and substantively significant manner, with members in the veto pivot changing their votes more often between final passage and the veto override. The pivotal politics model is widely accepted today due to its elegance, rigorous testing, and great predictive power.

While the pivotal politics model admirably explains a good deal of the legislative process using a parsimonious set of assumptions, it neglects some important aspects in the formation and composition of legislative coalitions. Relying solely on the arguments of *Pivotal Politics*, one is unable to explain a considerable portion of member voting behavior on bills that face presidential vetoes. At the aggregate level in both chambers of Congress, members outside of the veto pivot quintile comprise the majority of members who switch their voting behavior in general between final passage and the veto override attempt.

Figure 5.1 takes all members of the House who switch their votes between final passage and the veto override, and displays the percentage of members who come from each ideological quintile. Members from the veto pivot quintile make up just 26.9 percent of all House members who vote differently on final passage than they do on the override attempt during a challenged veto chain. In fact, slightly more members (27.2 percent) from what Krehbiel calls the "extreme opponents" quintile change their votes than do members in the veto pivot quintile. Focusing solely on the veto pivot quintile in

the House would cause one to miss nearly three-quarters of the members who switch their vote. This result holds true when I disaggregate the data and look separately at members who switch votes to either join, or defect, from the president's coalition on the veto override attempt. The percentage of members who change their votes to join the president's legislative coalition on the override attempt is equal for both the veto pivot quintile and the extreme opponents quintile, with each quintile making up 40.8 percent of all presidential joiners (see Figure 5.1). Furthermore, members from the veto pivot quintile make up just 22 percent of all members who defect from the president's coalition. This analysis suggests that focusing solely on the veto pivot quintile would cause one to miss the majority of members who change their votes during challenged vetoes.

The results from the Senate are similar. Members from the veto pivot quintile comprise a slim plurality of all vote switchers in the Senate, with 28.9 percent of all Senate switchers coming from the veto pivot quintile and 27.8 percent from the extreme opponent quintile (see Figure 5.2). The result is similar if we focus on presidential joiners. About 40 percent of presidential joiners are from the veto pivot quintile, while about 30 percent are from the extreme opponent quintile. Senators in the veto pivot quintile make up a plurality, but not a majority, of vote switchers and presidential joiners in the Senate. Finally, members from the veto pivot quintile make up about 28 percent of those who defect from the president's coalition. As in the House, focusing solely on the veto pivot quintile causes one to miss the majority of senators who switch their votes on challenged vetoes.

This brief investigation of vote switchers and presidential joiners reveals an important fact about member behavior on challenged vetoes. In the aggregate, members from the veto pivot quintile do not comprise a majority of the members who switch their voting behavior between final passage and the veto override attempt.[13] A more complete explanation of member behavior on challenged vetoes is needed for two reasons: 1) members from the veto pivot are not a majority of the members who switch their votes on challenged vetoes, and 2) not all members in the veto pivot change their voting behavior on challenged vetoes.

In order to develop a more precise explanation of vote switching, I argue that political scientists must consider how the president's use of the veto changes members' "operative preferences." Operative preferences are "the preferences that actually govern the voting choice, when all the other forces pressuring the member in one direction or the other are taken into account" (Rohde 1991, 41). These "other forces" may be any number of influences on member behavior: constituencies, presidents, parties, interest groups, or personal preferences are just a few potential influences on members' votes. This change in operative preferences changes members' decision-making process, and thus has the potential to change their votes. Accounting for this change in operative preferences simultaneously solves two puzzles. First, why do members outside the veto pivot change their votes between final passage and the veto override? Second, which members inside the veto pivot are the most likely to switch their votes?

[13] Of course, members in the veto pivot may make up a majority of those who switch their votes in some individual cases. That is an empirical question beyond the scope and intent of this chapter.

VETOES AND MEMBERS' OPERATIVE PREFERENCES

Vetoes matter in the legislative process. Both vetoes and veto threats can change the substance of legislation. In fact, the mere existence of the veto power and its potential for use causes bill sponsors to craft legislation that can capture the support of "the veto pivot" and thus pass with a supermajority (Krehbiel 1998; Cameron 2000). Political scientists have paid a good deal of attention to this powerful presidential tool (Rohde and Simon 1985; Schap 1986; Kiewiet and McCubbins 1988; Watson 1988; Matthews 1989; Ingberman and Yao 1991; McCarty and Poole 1995; McCarty 1997). Almost all of these studies look at the macro-level, studying how presidents use vetoes to influence Congress as a whole, and legislative outcomes in the aggregate. My goal is to build on this base of macro-level knowledge by looking at the micro-level and investigating which individual members of Congress are affected by the veto.

Previous research makes it clear that the veto power as an institutional feature has great influence over legislative outputs. In other words, the veto need not be used in order to affect members' behavior. In this chapter, I argue that the actual use of the veto can influence member behavior above and beyond the veto's influence as a feature of the legislative process. This added influence can occur from either direct or indirect presidential influence.

The first, and most obvious, way that vetoes allow presidents to influence member behavior is by increasing the president's chances of successfully persuading members to join his legislative coalition. The veto changes the rules of the legislative game,

transforming it from a majoritarian system to a supermajoritarian system. This change makes directly persuading members of Congress easier for the president because the critical members of Congress who hold the key to a bill's success or failure are closer to the president ideologically and more likely to be members of his party. The president can directly influence these critical members in a variety of ways, including offering favors, promising campaign support through either appearances or money, promising support for members' pet legislation, or promising to support (or block) judicial and executive appointees whom the critical member prefers. By shifting the playing field and making the critical members of Congress closer to the president ideologically, the veto makes it easier for presidents to successfully influence members through direct appeals.

The second manner in which the veto may allow presidents to influence member voting behavior is a bit more subtle. This influence stems from both the people's role in the American political system and the president's role as the most visible face in American politics, able to capture the attention of both the media and the public. Before a veto is issued, members anticipate the president's preferences and attempt to craft legislation that either pleases the president or can overcome a potential veto. For many bills, this process takes place out of the limelight and few citizens pay attention to the bill. Presidential vetoes, however, increase both the bill's salience and the public's attention to the policy debate. This increased public attention changes the "operative preferences" of legislators. In the case of challenged vetoes, I argue that the most relevant "other forces" are the president and the American public. As a result of presidential involvement, increased public attention, and the resultant shift in members'

operative preferences, members may vote differently on veto override attempts than they do on final passage votes. In the following section, I explain how constituency and electoral vulnerability can affect members' operative preferences and change how some members vote during challenged vetoes.

THE CONSTITUENCY HYPOTHESIS

For the purposes of this chapter's empirical analysis, the Constituency Hypothesis holds that the president's strength in members' constituencies will make some members systematically more likely to join the president's legislative coalition during veto override attempts. Furthermore, the Constituency Hypothesis holds that constituency-level presidential strength will make some members of Congress systematically more likely to defect from the president's legislative coalitions during veto override attempts.

> **The Constituency Hypothesis:** As the president's strength in a member's constituency increases, a member's probability of joining the president's coalition increases. Conversely, as the president's strength in a member's constituency increases, a member's probability of defecting from the president's coalition decreases.

I again use constituency-level presidential strength to test the Constituency Hypothesis and measure *Presidential Strength* using the president's percentage of the two-party vote in the member's constituency during the previous presidential election.

THE VULNERABILITY HYPOTHESIS

The Vulnerability Hypothesis suggests that electorally vulnerable members of Congress will be especially responsive to their constituencies during challenged vetoes. The Safety Hypothesis suggests that safe members of Congress will have more freedom in their voting behavior on challenged vetoes. In other words, voters have vulnerable members of Congress on a short leash, while safe members of Congress have a bit longer leash.

> **The Vulnerability Hypothesis:** Vulnerable members of Congress representing constituencies with high presidential strength will be more likely to join (and less likely to defect from) presidential coalitions. Conversely, vulnerable members of Congress representing constituencies with low presidential strength will be less likely to join (and more likely to defect from) presidential coalitions.

I again use the interaction of presidential strength and vulnerability to test the Vulnerability Hypothesis. If the Vulnerability Hypothesis is correct, vulnerable members from constituencies where the president is strong will be more likely to join, and less likely to defect from, the president's coalition. On the other hand, vulnerable members from constituencies where the president is weak will be less likely to join, and more likely to defect from, the president's coalition.

THE SAFETY HYPOTHESIS

All members of Congress pay attention to their constituents and attempt to keep them happy, but safe members have a bit more freedom than vulnerable members. As a result of this freedom, I expect that safe members will change their votes more often between final passage and veto override. This expectation

seems logical for two reasons. First, presidents might be more likely to lean on safe members and ask for their support on the veto override vote. Presidents are politicians who understand that safe members of their party are more likely than vulnerable members to take potentially risky positions. Second, safe members might be more likely to vote as they see fit on the final passage vote when the public's attention to the issue is low, while vulnerable members pay closer attention to the public's "potential preferences" (Arnold 1990). As a result, the operative preferences of safe members would be the most likely to change after the president issues a veto and the public's attention to the debate increases.

> **The Safety Hypothesis:** As a member's electoral vulnerability decreases, the member's likelihood of switching votes during the override attempt increases.

I use the *Vulnerability* variable to test the Safety Hypothesis. If the Safety Hypothesis is true, the *Vulnerability* variable should be negative, indicating that vulnerable members are less likely than safer members to switch their votes on challenged vetoes.

TESTING THE INFLUENCE OF CONSTITUENCY AND VULNERABILITY

To test how constituency and vulnerability influence presidential joiners and presidential defectors, I use a dataset that consists of roll-call votes on final passage and

veto override attempts for all challenged vetoes from 1973 to 2011.[14] My analysis focuses on what Krehbiel calls "showdown pairs" (1998, p. 125). These vote pairs consist of 1) the post-conference final passage vote that sends the bill to the president's desk, and 2) the post-veto override vote. I focus on these vote pairs instead of all votes in the veto chain because in "showdown pairs" bill content is held constant. Members vote on identical enrolled bills in these vote pairs.[15] As a result, any changes in member voting behavior between final passage and the veto override attempt must be the result of something other than the bill's content.

I employ logistic regression models with bill-level random effects to test my hypotheses about how constituency and electoral vulnerability affects member behavior on veto override votes.[16] The first dependent variable, *Presidential Joiner*, measures which members join the president's legislative coalition during the veto override attempt.[17] This variable equals 0 if a member votes for the bill (and thus against the

[14] Tables summarizing the bill number, title, final passage vote margin, and veto override vote margin for these bills in the House and the Senate are available from the author upon request.

[15] For the purposes of this analysis, I investigate only showdown pairs where a roll-call vote was taken on both final passage and the veto override. Some challenged vetoes take place after either the House or the Senate passed a bill via voice vote. I do not analyze these challenges because there is no way to determine which members switch their voting behavior during the veto override attempt.

[16] Conley and Kreppel (2001) offer a typology of vetoes based on the nature of the size of the coalition that originally passed the bill. "Partisan vetoes" occur on bills that pass with less than 60% support. "Contested vetoes" occur on bills that pass with the support of 60% to 74% of members. "Supermajority vetoes" occur on bills that pass with more than 74% of members voting in favor. Conley and Kreppel make a compelling argument that member behavior on challenged partisan vetoes does not provide much evidence about presidential influence in Congress. Following this logic, I exclude partisan vetoes from the quantitative analysis.

[17] Those members who vote with the president on both final passage and the veto override attempt are excluded from this analysis. As a consequence of their final passage vote, such members cannot join the president on the veto override attempt.

president) on both the final passage vote and the veto override vote. The variable equals 1 if a member votes for the bill (and against the president) on final passage, but switches votes against the bill (and in support of the president) on veto override attempt. The second dependent variable, *Presidential Defector*, measures which members defect from the president's legislative coalition during the veto override attempt.[18] This variable equals 0 if a member votes against the bill on both the final passage vote and the veto override vote. The variable equals 1 if a member votes against the bill on final passage, but switches votes and supports the bill during the veto override attempt.

In addition to the *Presidential* Strength and *Vulnerability* variables, I include controls for the effects of party and ideology. *Presidential Party* equals 1 if the member caucuses with the president's political party and 0 otherwise. To control for ideology, I include 4 dummy variables that measure a member's relative location on the ideological spectrum. Following Krehbiel, I treat the preference data as ordinal and classify each member into one of five quintiles: *extreme supporter*, *supporter*, *moderate*, *veto pivot*, and *extreme opponent*.[19] Figure 5.3 illustrates how the ideological spectrum appears under both conservative and liberal presidents.

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[18] Those members who vote against the president on both final passage and the veto override attempt are excluded from this analysis. As a consequence of their final passage vote, such members cannot defect on the veto override attempt.

[19] As a robustness check, I also ran models that excluded Krehbiel's five ideological quintiles. Instead of ideological quintiles, these models included a variable that measured the absolute value of the difference between the president's NOMINATE score and each member's NOMINATE score. The empirical results are nearly identical. I use the quintile approach for two reasons. First, it replicates Krehbiel's influential analysis. Second, at the aggregate level the predicted probabilities make much more sense using the quintile approach instead of the absolute difference approach.

PRESIDENTIAL JOINERS IN THE HOUSE

Table 5.1 presents the results from the analyses of presidential joiners in each chamber of Congress. Constituency and electoral vulnerability are both significant influences on members' decisions to join the president's coalition on veto override attempts in the House of Representatives. In the Senate, only electoral vulnerability is related to members' decisions to become presidential joiners on veto override votes. In the following paragraphs, I calculate predicted probabilities for different types of members in order to shed further light on the Constituency Hypothesis, Vulnerability Hypothesis, and Safety Hypothesis.[20]

Constituency is a strong influence on presidential joiners in the House, especially when combined with electoral incentives. Figure 5.4 displays the predicted probability of members joining the president's coalition in the House.[21] Party is an important predictor of member behavior on challenged vetoes. Presidential party members have a 17.7 percent chance of joining the president's coalition on the veto override attempt in the House, while opposition party members have under a 1 percent chance of becoming presidential joiners. Accordingly, all calculations to the right of the "opposition party"

[20] I use Microsoft Excel to calculate these predicted probabilities.

[21] In these figures, I present calculations for 1) "safe" members, 2) "vulnerable" members, 3) members from constituencies with "low presidential strength," and 4) members from constituencies with "high presidential strength." "Safe" members are those who are one standard deviation below the mean of member vulnerability variable. "Vulnerable" members are those who are one standard deviation above the mean of member vulnerability variable. Members from constituencies with "low presidential strength" are those who are one standard deviation below that variable's distribution, while members from constituencies with "high presidential strength" are those who are one standard deviation above the mean. When I calculate predicted probabilities for presidential party members, I use the variable's distribution in the presidential party's caucus. Similarly, when I calculate predicted probabilities for opposition party members, I use the variable's distribution in the opposition party's caucus.

calculation in Figure 5.4 are for presidential party members only. As expected, ideology is strongly related to members' probability of joining the president's coalition as well. Moving from the "moderate" quintile to the "extreme opponents" quintile increases a presidential party member's chance of becoming a presidential joiner by about 20 percentage points. It should be noted, though, that only 9 percent of presidential party members in the dataset are in the "moderate" quintile. Over 90 percent of presidential party members are in the "veto pivot" and "extreme opponents" quintiles. Moving from the "veto pivot" quintile to the "extreme opponent" quintile increases a members' chance of becoming a presidential joiner by about 10 percentage points.

While the effects of party and ideology on presidential joiners are impressive in the House, the effects of constituency and vulnerability are substantively significant as well. Presidential party members from districts with high presidential strength (defined as one standard deviation above the mean) are almost 10 percentage points more likely to join the president's coalition than those from districts with low presidential strength (defined as one standard deviation below the mean). Including member vulnerability in the calculations amplifies constituency's effect. Vulnerable presidential party members from districts with low presidential strength are the least likely to join the president's coalition. Conversely, safe presidential party members from districts with high presidential strength are the most likely to become presidential joiners. In sum, the combined effects of constituency and vulnerability, calculated one standard deviation above or below their means, can cause a 12 percentage point change in the probability that a presidential party member will become a presidential joiner during the veto

override attempt in the House of Representatives. The change in probability caused by constituency and vulnerability among presidential party members is over two-thirds as large as the change in probability caused by party. Moreover, the combined effects of constituency and vulnerability can be larger than the change in probability caused by moving from the "veto pivot" quintile to the "extreme opponents" quintile.

PRESIDENTIAL JOINERS IN THE SENATE

The Senate results are similar to the House results; with the exception that constituency plays a smaller role in the Senate, while electoral incentives (particularly electoral safety) play a larger role. Party and ideology are strongly related to senators' decisions to join the president's coalition on the veto override attempt. Senators from the president's party are more than 16 percentage points more likely to join the president's coalition than opposition party members (see Figure 5.5). Furthermore, moving from the "veto pivot" quintile to the "extreme opponents" quintile increases a senator's chance of becoming a presidential joiner by more than 17 percentage points. As in Figure 5.4, all calculations to the right of the "opposition party" calculation in Figure 5.5 are for presidential party members only due to party's large effect on presidential joiners.

Because constituency does not have a statistically significant effect on presidential joiners, the Constituency Hypothesis is not validated in the Senate. On the other hand, member vulnerability has a strong effect on presidential joiners in the Senate. Safe senators from the president's party have a 20.3 percent chance of joining the president's coalition, while vulnerable senators from the president's party have a 13.7 percent chance. Moving from one standard deviation below the mean of the

Vulnerability variable to one standard deviation above the mean thus causes about a 7 percentage point change in the probability that a senator will become a presidential joiner. This change in probability is more than one-third as large as the change in probability caused by either party or ideology. While there is not sufficient evidence to claim that constituency affects senators' decisions to join the president's coalition on veto override attempts, there does appear to be evidence that safe members are more likely than vulnerable members to become presidential joiners.

PRESIDENTIAL DEFECTORS IN THE HOUSE

Figure 5.6 presents the results from the analysis of presidential defectors in the House of Representatives. As with presidential joiners in both chambers of Congress, party is strongly related to members' decisions to defect from the president's coalition on the veto override attempt. Average members of the president's party in the House have only a 2 percent chance of defecting, while average opposition party members have a 17.3 percent chance of becoming presidential defectors. Accordingly, all calculations to the right of the "opposition party" calculation in Figure 5.6 are for opposition party members only due to party's large effect on presidential defectors. Among opposition party members, ideology is related to decisions to defect from the president's coalition. Average opposition party members in the "extreme supporters" quintile are the most likely to defect, with a 20.4 chance of defection. Moving from the "extreme supporters" quintile to the "moderate quintile" causes a 7 percentage point decrease in the probability that an average opposition party member will defect from the president's coalition.

Constituency influences appear to affect opposition party members' decisions to defect from the president's coalition during veto override votes in the House. Presidential strength is both substantively and statistically significant. Opposition party members from constituencies with low presidential strength have a 20.7 percent chance of defecting from the president's coalition during veto override attempts, while members from constituencies with low presidential strength have a 14.3 percent chance of defecting. Thus, moving from one standard deviation below the mean of presidential strength to one standard deviation above the mean causes a 6 percentage point decrease in an opposition party member's chance of defecting from the president's coalition on a challenged veto. This change of 6 percentage points caused by constituency is similar to the 7 percentage point change caused by ideology. Further, it is about one-third as large as the change caused by party. Constituencies clearly influence the behavior of opposition party members in the House during challenged vetoes. The president's best bet of maintaining his coalition during veto override attempts is to focus on opposition party members from constituencies where the president is strong, and understand that opposition party members from constituencies with low presidential strength are the most likely to leave the president's coalition during the override attempt.

Member vulnerability is not statistically related to defection from the president's coalition in the House. The *Vulnerability* variable has a negative sign and a p-value less than 0.22, but in the end I cannot reject the null hypothesis that member vulnerability has no effect on presidential defectors in the House. Still, the results of the presidential

defection analysis in the House do provide supporting evidence for the Constituency Hypothesis.

PRESIDENTIAL DEFECTORS IN THE SENATE

The results from the analysis of presidential defectors in the Senate are inconclusive. Due to the low number of observations, not even party is statistically related to presidential defectors in the Senate. Moreover, ideology is only weakly related to senators' decisions to defect from the president's coalition during veto override votes. I do not present predicted probabilities for presidential defectors in the Senate due to the inconclusive results. The Senate results make it clear that ideology is an important determinant of senator behavior on challenged vetoes, but the number of observations is not large enough to allow further insight into why some senators defect from the president's coalition during veto override attempts.

CONCLUSION

The previous chapter responded to party-based theories of presidential coalition building by demonstrating how constituency and electoral incentives systematically influence members' presidential support scores. This chapter responds to ideology-based theories of presidential coalition building by demonstrating that constituency and electoral incentives have a systematically effect on member voting behavior during challenged vetoes. Constituency and electoral incentives clearly influence member behavior on challenged vetoes by changing members' operative preferences. The effects

of constituency and electoral incentives are often as large, or larger, than the effect of ideology.

In the House of Representatives, constituency and vulnerability can have substantive effects as large as the effects of party and ideology. In the Senate, vulnerability's effect on presidential joiners is about one-third as large as the effects of party and ideology. The presidential joiners analysis suggests that both constituency and vulnerability affect whether presidential party members will decide to join the president's coalition in the House, and electorally safe senators from the president's party are the most likely to join the president's coalition during override attempts in the Senate. Further, the presidential defectors analysis finds that constituencies affect members' decisions to defect from the president's coalition in the House, with opposition party members from constituencies with low presidential strength being the most likely to defect from the president's coalition on the veto override attempt.

Understanding the effects of constituency and vulnerability helps augment ideology-based theories of member behavior on challenged vetoes. For example, in the House, the most likely presidential joiners are electorally safe presidential party members from constituencies with high presidential strength. Explanations of congressional behavior based on party and ideology alone might say "some presidential party members in the veto pivot and extreme opponent quintiles are the most likely to join the president's coalition." Adding constituency and vulnerability to our theories allows us to say "*electorally safe* presidential party members in the veto pivot and extreme opponent quintiles *who represent constituencies where the president is strong* are the most likely to

join the president's coalition." Incorporating these two easily measurable, and easily understood, variables helps develop a theory of congressional behavior that is both more precise and more complete than using ideology and party alone.

In addition to this inquiry's theoretical implications, it also has important normative implications for the state of American democracy. A healthy democracy requires members of Congress to represent their constituents' views when voting on the floor of the House and the Senate. The evidence presented here concerning the Constituency Hypothesis shows that this type of representation exists, as constituencies influence whether members are more or less likely to join or defect from the president's coalitions during challenged vetoes. The Vulnerability Hypothesis asserts that vulnerable members will be more responsive to their constituencies than other members. Such a relationship speaks to norms of democratic accountability by implying that vulnerable members follow their constituency's lead out of fear of being held accountable in the next election. Edwards (2009) suggests that if vulnerable members were found to be responsive to their constituency while safe members were not, we could conclude that members of Congress respond to the president in part based on a concern that voters will reward or punish their representatives as a result of their voting behavior.

While I do not go so far as to argue that safe members of Congress are unresponsive to their constituents, the Safety Hypothesis holds that electorally safe members have greater freedom in their voting behavior and are more likely to switch their behavior on challenged vetoes. The evidence from the presidential joiners analysis in both the House and the Senate supports this hypothesis. In addition, the evidence

regarding the Vulnerability Hypothesis suggests that vulnerable members of the House are more responsive to their constituents than safe members. This finding implies that vulnerable members attempt to represent their constituents' concerns in order to avoid being held accountable on Election Day. This type of member behavior shows that the threat of democratic accountability still exists in the American system. A healthy democracy requires both representation and democratic accountability. The empirical results of this inquiry suggests that both are present during some of the highest profile interactions between Congress and the president – challenged vetoes.

Figure 5.1: Percentage of House Vote Switchers, Presidential Joiners, and Presidential Defectors from each Ideological Quintile

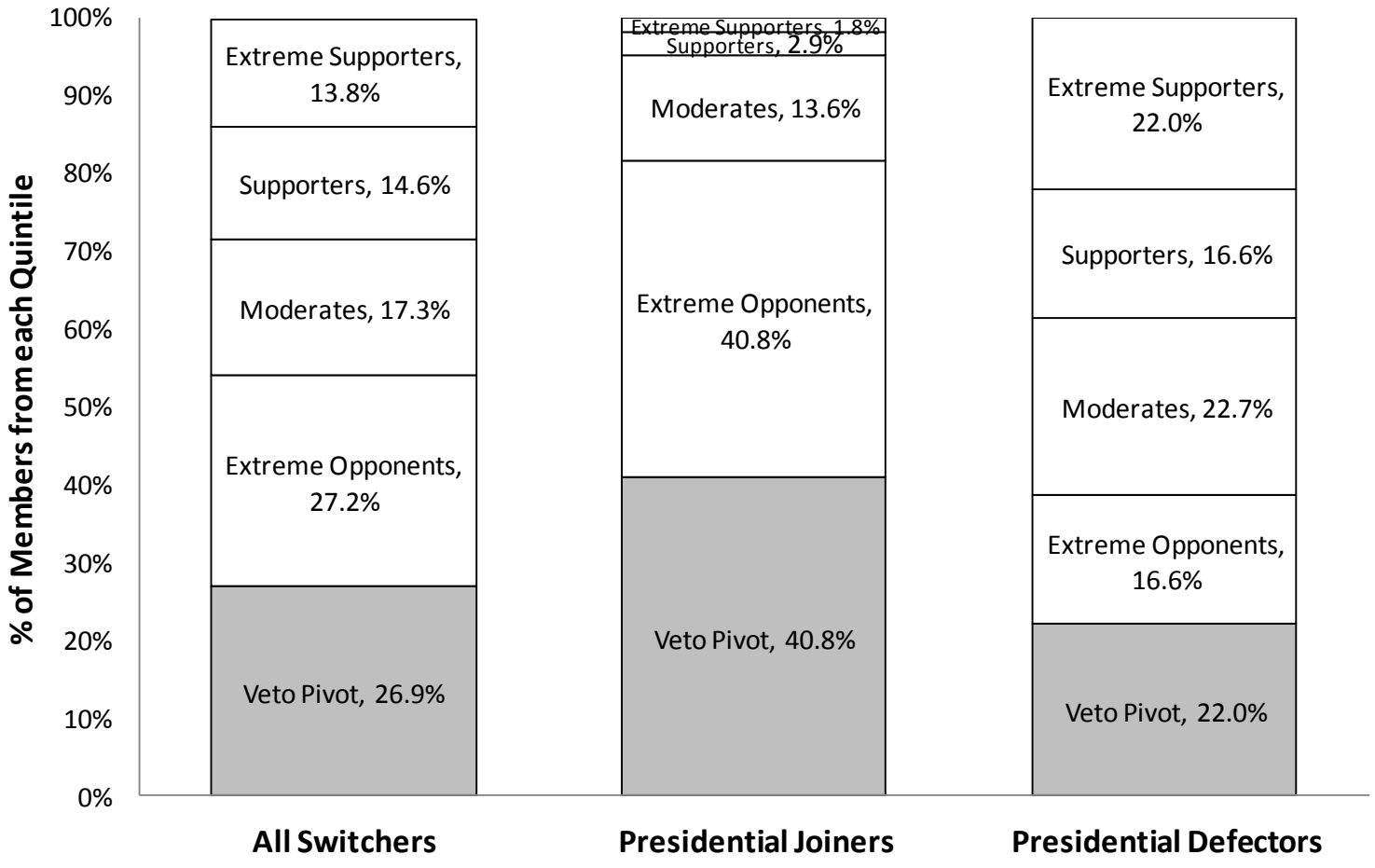


Figure 5.2: Percentage of Senate Vote Switchers, Presidential Joiners, and Presidential Defectors from each Ideological Quintile

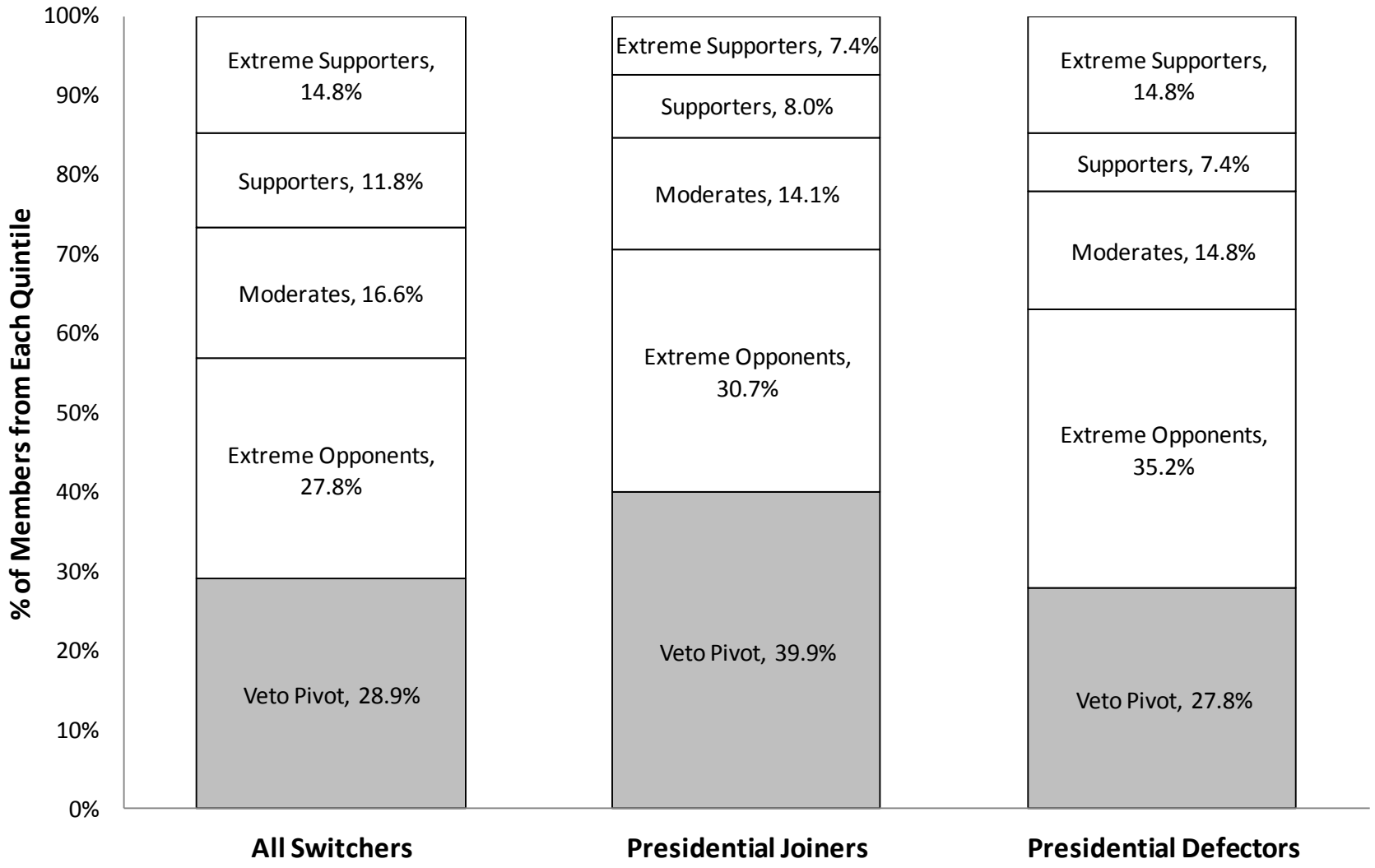
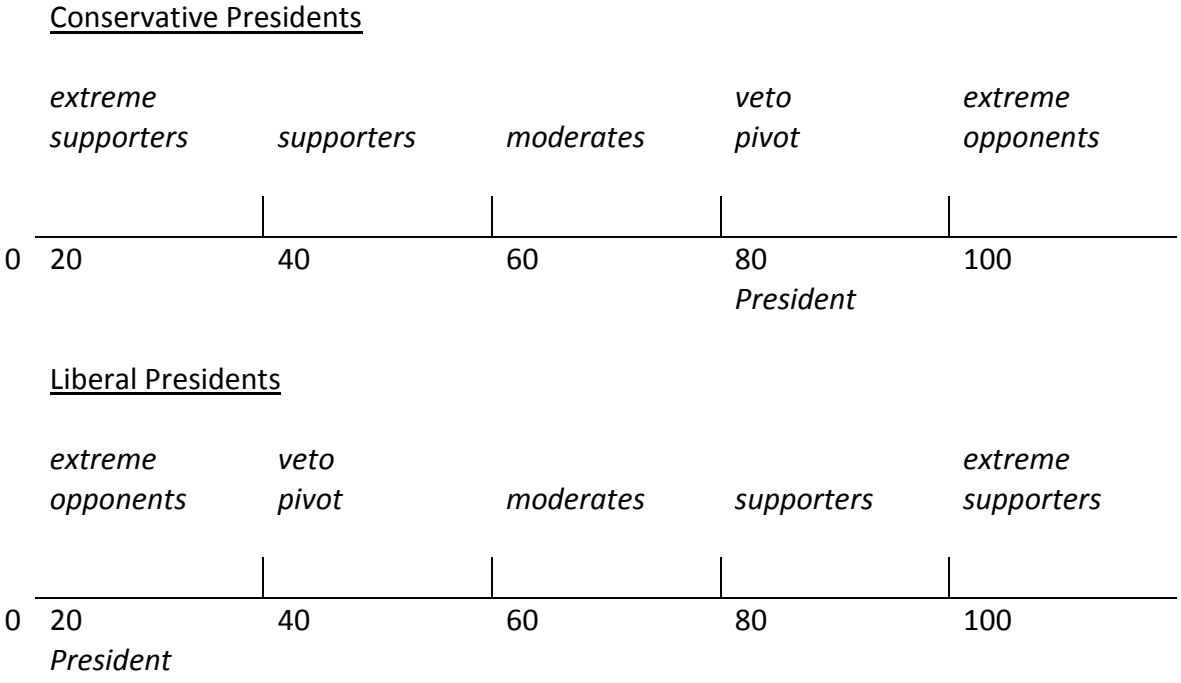


Figure 5.3: Ideological Quintiles for Liberal and Conservative Presidents



(0 = most liberal, 100 = most conservative)

Table 5.1: The Effect of Party, Presidential Strength, Member Vulnerability, and Ideology on Presidential Joiners in the House and Senate

	House	**Senate**
Presidential Party	1.24***	1.31***
	(0.15)	(0.42)
Presidential Strength	3.6***	1.77
	(0.52)	(1.82)
Member Vulnerability	-0.4***	-1.27***
	(0.13)	(0.45)
Supporter	0.21	-0.21
	(0.28)	(0.44)
Moderate	1.38***	0.06
	(0.25)	(0.45)
Veto Pivot	2.54***	1.22**
	(0.28)	(0.55)
Extreme Opponent	3.1***	2.3***
	(0.3)	(0.62)
Constant	-7.53	-4.5
	(0.37)	(1.18)
N	16,916	1,857
Log-likelihood	-2606.08	-370.39

Notes: Table presents logistic regression coefficients. The dependent variable is "Presidential Joiner."

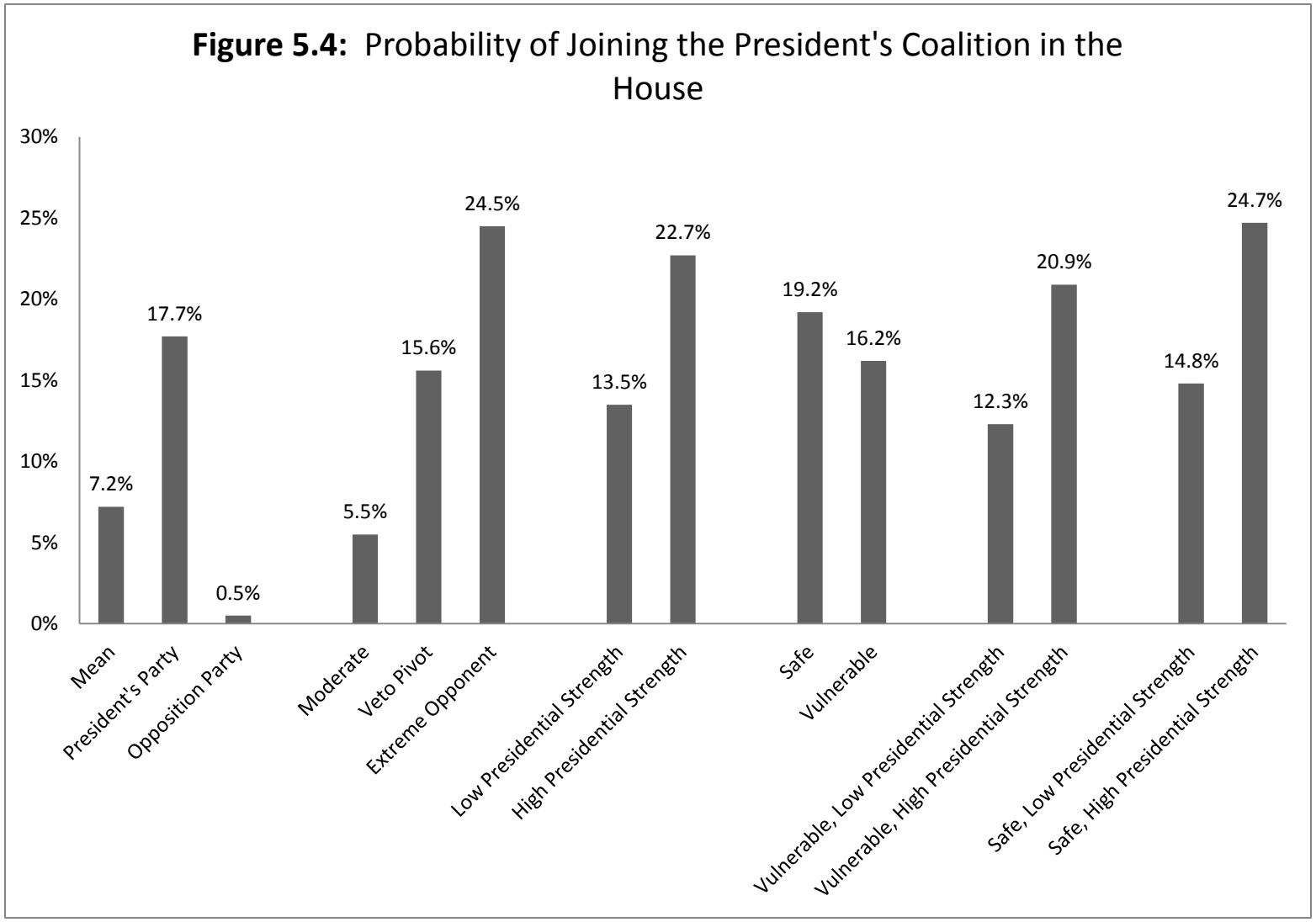
*** p<.01, ** p<.05, * p<.1 (two-tailed tests)

Table 5.2: The Effect of Party, Presidential Strength, Member Vulnerability, and Ideology on Presidential Defectors in the House and Senate

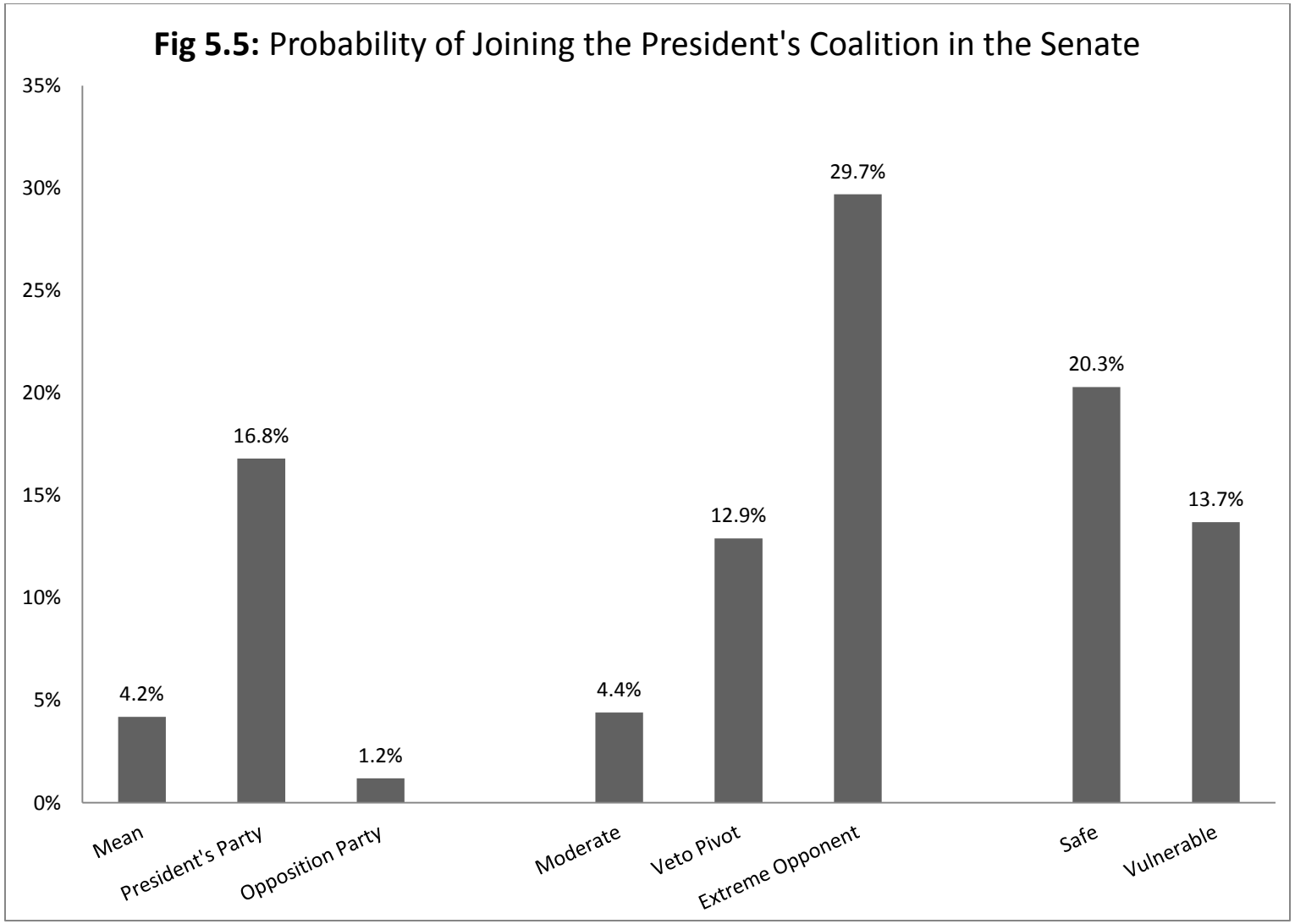
	House	**Senate**
Presidential Party	-1.2***	0.5
	(0.26)	(0.9)
Presidential Strength	-1.69***	4.17
	(0.79)	(4.07)
Member Vulnerability	-0.27	0.83
	(0.22)	(1.21)
Supporter	-0.06	-0.21
	(0.26)	(1.12)
Moderate	-0.5*	-2.12*
	(0.27)	(1.13)
Veto Pivot	-1.05***	-2.09*
	(0.35)	(1.25)
Extreme Opponent	-1.58***	-3.23**
	(0.4)	(1.47)
Constant	-0.32	-4.81
	(0.46)	(2.73)
N	5,949	671
Log-likelihood	-917.56	-109.78

Notes: Table presents logistic regression coefficients. The dependent variable is "Presidential Defector."

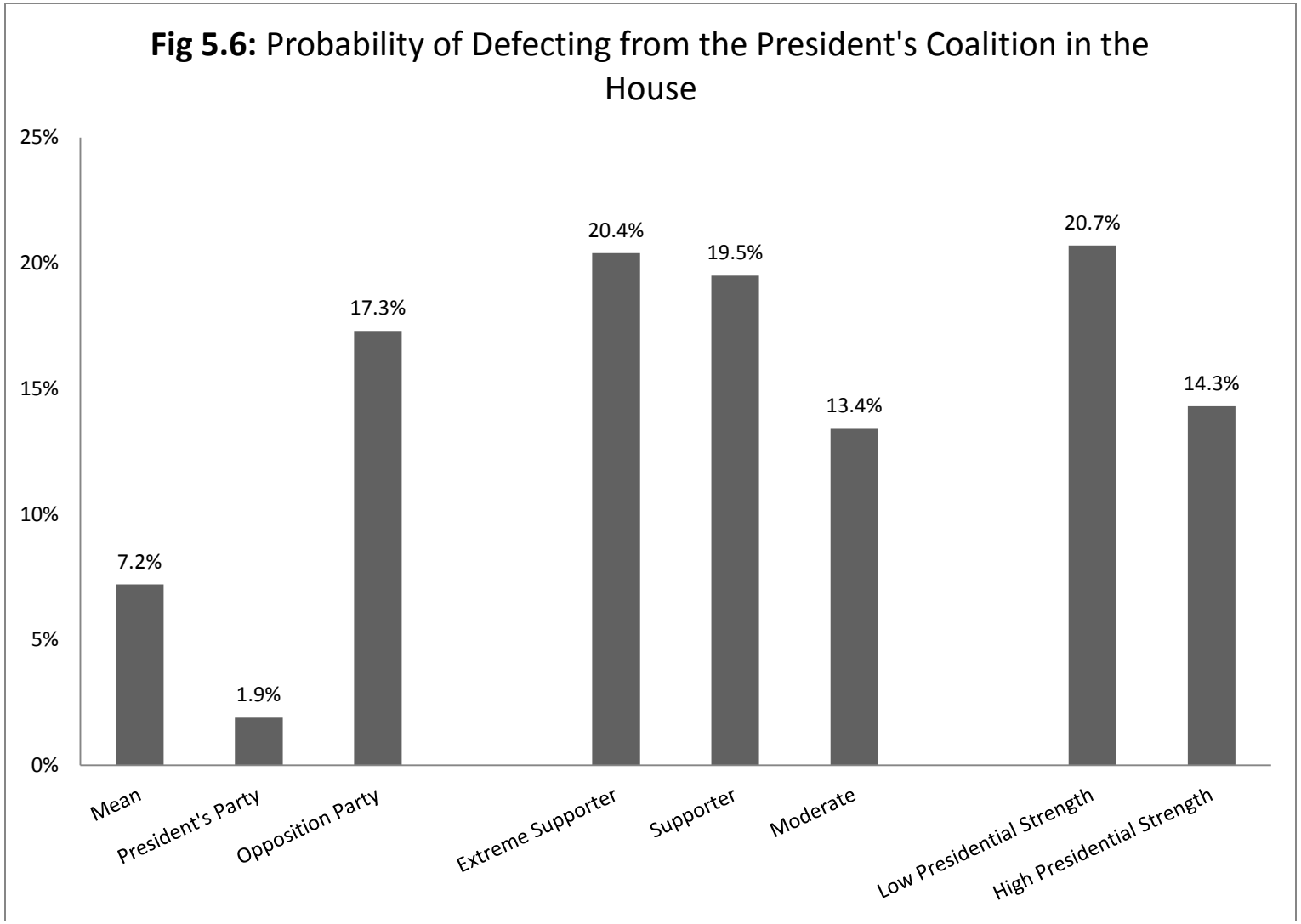
*** p<.01, ** p<.05, * p<.1 (two-tailed tests)



All predicted probabilities to the right of the "opposition party" prediction are for presidential party members only.



All predicted probabilities to the right of the "opposition party" prediction are for presidential party members only.



All predicted probabilities to the right of the "opposition party" prediction are for opposition party members only

Chapter 6: Solving the Three Puzzles of LBJ's Legislative Experience

The presidency of Lyndon Baines Johnson encapsulated all the highs and lows of the legislative presidency into one presidential experience. LBJ began his presidency in the wake of a national tragedy, assuming the office on November 22, 1963, when he took the oath of office aboard Air Force One as it traveled from Dallas, Texas to Washington, DC, with President Kennedy's body aboard the plane (CQ Almanac 1963). During his time as president, LBJ enjoyed tremendous success enacting major agenda items into law, humbling defeats, crippling compromises, and periods of gridlock. These wide fluctuations in legislative success occurred during a time of unified government. The extreme variance in LBJ's legislative success during a time when his party controlled both chambers of Congress cannot be explained by traditional, party-based theories of presidential success in Congress. These theories do a great job predicting President Johnson's legislative victories, but a poor job explaining his legislative losses. LBJ's experience as president demonstrates why party-based theories are much better at predicting the systematic variations in presidential success *across* Congresses than they are at explaining fluctuations in presidential success *within* Congresses.

CASE SELECTION

I selected LBJ's presidency as a case study for a variety of reasons. First, President Johnson experienced both great success and abject failures in the legislative arena during his five years as president. This wide range of outcomes in LBJ's dealings with Congress creates a number of opportunities to investigate presidential success both across Congresses and within particular congressional sessions. Second, President

Johnson's Administration took great care to record its lobbying efforts in Congress before floor votes. Such detailed record-keeping offers a rare window into which members of Congress presidents focus on during their efforts to win members' votes, how presidents attempt to persuade these members, and why some members end up supporting the president while other do not. Third, Chapter 2 finds supporting evidence for the Vulnerability Hypothesis in the first part of the Johnson Administration, but then all evidence for the Vulnerability Hypothesis in the House disappears during the later part of LBJ's time in office. After LBJ, electoral vulnerability does not appear to affect members' voting behavior in the House until President Reagan's second term. Thus, LBJ's dealings with Congress can not only illuminate how and why presidents are successful or unsuccessful in the legislative arena. They can also shed light on what I call "The Case of the Missing Vulnerability Hypothesis."

POTENTIAL CAUSES OF LBJ'S LEGISLATIVE ROLLER COASTER RIDE

LBJ's fortunes in the legislative arena waxed and waned as much, or more than, any president in the modern era. This chapter considers a number of potential causes that may explain the variance in LBJ's legislative success over the course of his presidency. Some of these causes help explain the variation in presidential success between Congresses, others help explain the variation within Congresses sessions, and some can help variation both between and within Congresses. First, I investigate how changes in the composition of Congress affected LBJ's legislative agenda. I consider changes in the partisan composition of Congress, the number of electorally vulnerable members in each chamber, the amount of Democratic members representing constituencies where President Johnson was weak, and the amount of Republican members representing

constituencies where LBJ was strong. This investigation helps explain the fluctuation in LBJ's legislative success across congressional sessions.

Second, I examine how changes in LBJ's presidential popularity during his term may have affected his legislative success. President Johnson's national approval ratings oscillated from highs of around 80 percent to lows of around 35 percent. Presidential approval ratings give us a concrete measure of what Neustadt calls "presidential prestige" (Neustadt 1990, 78). Neustadt suggests that presidential prestige can affect elite reaction to the president's program. This chapter investigates whether the wild fluctuations in presidential approval affected President Johnson's success in the legislative arena.

Third, I consider the possibility that a decrease in support from previously supportive groups such as Southern Democrats, electorally vulnerable members of Congress, and electorally safe members of Congress may have caused LBJ's success rate to vary over the course of his presidency. Conventional wisdom suggests that what I call "the Civil Rights Act effect" caused Southern Democrats to turn away from Johnson after supporting his agenda early on. Chapters 2 and 3 found that vulnerable members of Congress are particularly sensitive to their constituents' opinion of the president, which implies that during LBJ's time in office vulnerable members of both parties held one key to the success or failure of his legislative agenda. Moreover, the empirical results from Chapter 3 suggest that extremely safe members of Congress have greater leeway in their voting behavior. Thus, the votes of these safe members may also hold a key to LBJ's success rate in Congress.

AN OVERVIEW OF LBJ'S LEGISLATIVE EXPERIENCE

President Lyndon Baines Johnson is known as one of the most skilled legislative presidents in recent American history. A brief overview of President Johnson's legislative record reveals an impressive amount of major legislation. During LBJ's time in office, he convinced Congress to pass seven pieces of "landmark legislation," more than any other president from Truman through George W. Bush.[22] Johnson's legislative record is so substantial that a major piece of legislation such as the Public Broadcast Act of 1967, which created the Public Broadcast Service and National Public Radio, is arguably not even one of Johnson's top ten legislative accomplishments. Johnson is hailed as one of our most talented legislative presidents for good reason.

Despite Johnson's extraordinary legislative accomplishments throughout his presidency, his relationship with Congress ebbed and flowed. At times Congress seemed eager to enact LBJ's sweeping agenda into law, while at other times Congress was reluctant to do the president's bidding. Figure 6.1 displays LBJ's legislative success rates by year in order to demonstrate President Johnson's ups and downs in the legislative arena.

At the start of his presidency, Johnson worked to continue and finish JFK's legislative business. Johnson did so with "endless energy" and dedication (CQ Almanac 1964). This energy and dedication translated into great legislative triumphs, as LBJ enjoyed an 88 percent success rate on roll-call votes in both chambers of Congress as he labored to finish JFK's legislative agenda and start his own "War on Poverty" using the Economic Opportunity Act of 1964 as its legislative vehicle (see Figure 6.1). This high

[22] The seven pieces of "landmark legislation" are 1) The Civil Rights Act of 1964, 2) The Economic Opportunity Act of 1964, 3) The Revenue Act of 1964, 4) The creation of Medicare and Medicaid through the Social Security Amendments of 1965, 5) The Voting Rights Act of 1965, 6) The Elementary & Secondary Education Act of 1965, and 7) The Fair Housing Act of 1968.

success rate on roll-calls resulted in 57.6 percent of Johnson's 1964 legislative requests being enacted into law (see Figure 6.2). As a result LBJ's stewardship, JFK agenda items such as the Civil Rights Acts of 1964 and the Revenue Act of 1964 (a major tax cut) passed through Congress alongside LBJ's own anti-poverty program. True to his reputation, President Johnson began his legislative presidency with resounding success.

After a strong start in the legislative arena in 1964, President Johnson entered 1965 with both an overwhelming electoral victory in the 1964 elections[23] and a growing reputation as a masterful legislative leader. After his work enacting JFK's legislative agenda into law in 1964, Johnson presented Congress with his own massive agenda in 1965. The Great Society legislative program was at the heart of this agenda. Figure 6.3 shows that Congress took almost twice as many roll-call votes on the president's agenda in 1965 (when it took 274 votes) than it did in 1964 (when it took 149 votes). Amazingly, even with so many votes being taken on such a large agenda, President Johnson enjoyed an even higher legislative success rate in 1965 than he did in 1964, with Congress as a whole supporting the president 93 percent of the time and 68.9 percent of the president's legislative requests becoming law. It is important to note two facts about the president's great success in 1965. First, the roll-call wins were almost always on issues that Johnson initiated. Second, these Johnson initiatives included major pieces of legislation such as the establishment of Medicare and Medicaid, the Voting Rights of 1965, and huge amounts of federal aid for elementary and secondary schools. The year of 1965 was truly a banner year for President Johnson. *CQ* went so far as to call Johnson's experience with Congress in 1965 "one of the most productive years in history" (CQ Almanac 1965).

[23] At the time, Johnson's victory in 1964 was the largest popular vote margin in history.

All good things must come to an end, and in 1966, Congress began to remind LBJ of this unfortunate fact of life. The costs and extent of the Vietnam War started to become clear in 1966 and the 89th Congress, which had been so supportive of LBJ's Great Society agenda, was less willing to provide the massive increases in government spending that were necessary to support most Great Society programs. Faced with a classic choice of "guns versus butter" (CQ Almanac 1966), Congress choose to buy a little less butter in order to afford a few more guns. President Johnson was able to continue funding many of the programs he and Congress established in the first two years of his presidency, but continuing existing programs was as far as Congress was willing to go. The president was unable to pass legislation establishing new federal commitments to fair housing, rural development programs and rural electricity cooperatives, and campaign spending limits. In addition to these defeats, Congress also passed a number of programs, such as Teacher Corps funding, steps toward DC home rule, "truth-in-packaging," and the new Department of Transportation in "diluted form" (CQ Almanac 1966). While LBJ certainly enjoyed a number of significant legislative victories in 1966, these victories were not as numerous or as remarkable as his victories in 1964 and 1965. In short, 1966 appeared to be the beginning of the end for LBJ's legislative presidency.

President Johnson's relationship with Congress only got worse in 1967. While Democrats still enjoyed a substantial majority in both chambers of the 90th Congress, they did lose 47 House seats and 4 Senate seats in the 1966 midterm elections. The Administration responded by proposing a legislative agenda that was "modest when compared with those of the (previous) three sessions" (CQ Almanac 1967).

Of course, the term "modest" can only be used as a relative term when discussing LBJ's legislative agenda. In fact, Figure 6.3 shows that for items on which President Johnson took a position, Congress took more roll-call votes in 1967 (292 in total) than in

any other year of his presidency. Unfortunately for the president, Congress's response was more negative than it had been in the past three sessions. The president's House roll call success rate in 1967 was the lowest of his five years in office, while his Senate success rate was the second lowest of his time in office. Moreover, Congress granted only 47.6 percent of LBJ's legislative requests in 1967. Figure 6.2 reveals that this percentage of requests enacted was LBJ's lowest enactment rate.

In 1964 and 1965 President Johnson seemed almost unable to lose a vote in Congress. This golden touch began to disappear in 1966, while in 1967 it left LBJ altogether as "few Administration bills except war appropriations moved through Congress unscathed" (CQ Almanac 1967). The president's fortunes took a turn for the better in 1968. With the Fair Housing Act of 1968, Congress worked with LBJ to pass a piece of "landmark legislation" for the first time since 1965. This bill helped cement Johnson's legacy as a champion of civil rights.

EXPLAINING LBJ'S LEGISLATIVE SUCCESS

I explore three potential explanations for the patterns that emerge from the overview of LBJ's experience with Congress from 1964 to 1968. To summarize, President Johnson enjoyed great success completing JFK's legislative agenda in 1964 and enacting his own Great Society agenda in 1965. This legislative hot streak cooled in 1966, while 1967 was a year of legislative losses for the president and gridlock in general. Surprisingly, LBJ's legislative success rate increased during his final year as president in 1968. These five years, under this one president, present a rather complete picture of the legislative relationship between Congress and the president, encapsulating both the highest of highs and rather low lows.

To explain the variance in LBJ's legislative success, I consider three factors. First, I examine changes in the partisan and regional composition of Congress, as well as changes in the number of "cross-pressured" members and electorally vulnerable members. Second, I investigate how changes in presidential popularity may have affected President Johnson's legislative success. Third, I explore whether votes from groups such as Southern Democrats, cross-pressured members, electorally vulnerable members, and electorally safe members helped LBJ win when he enjoyed success and caused him to lose when he experience gridlock and frustration.

The Changing Partisan Composition of Congress

This chapter seeks to explain the fluctuations in LBJ's legislative success over the course of his presidency. The first, and most obvious, explanation is changes in the partisan composition in Congress caused the variance in LBJ's legislative success. Proponents of what I call "party-based theories of executive-legislative" relations would argue as the number of Democrats in Congress decreased, so did President Johnson's legislative victories. Table 6.1 displays information about the composition of Congress in terms of partisanship and regionalism, as well as in terms of constituency-level presidential strength and members' electoral situation.

Table 6.1 makes clear that Democratic strength in Congress can explain some, but not nearly all, of the variation in LBJ's legislative success rate over time. If one were to rank LBJ's experience with the 88th through 90th Congresses from best to worst, the 89th would be his most successful, with the 88th next, and the 90th last. This ranking does match up with the Democrats' strength in Congress. Undoubtedly, this evidence suggests

that the partisan composition of Congress had some effect on Johnson's legislative record.

Looking across congressional sessions, the partisan composition of Congress is correlated with the president's legislative success, as party-based theories would predict. These theories miss a very important fact of the president's legislative life: the president's experience with Congress changes *within* congressional sessions in addition to fluctuating across congressional sessions. If we disaggregate each Congress by year, the rankings change. The order of most successful to least successful legislative years is as follows: 1) 1965, 2) 1964, 3) 1968, 4) 1966, and 5) 1967.

Party-based theories fail to capture the variance in LBJ's legislative success across these years. Four empirical examples help demonstrate why party-based theories fall short. First, while LBJ was more successful in the aggregate during the 89th Congress than the 88th Congress after his party picked up 37 House seats in the 1964 elections, the president was also more successful in 1964 than he was in 1966 despite having 37 fewer Democrats in the House in 1964. Contrary to the expectations of party-based theories, LBJ had a harder time with Congress in 1966 than he did in 1964 despite greater Democratic strength in both chambers.

As a second empirical example, Congress enacted an equal percentage of Johnson requests in 1966 and 1968. This equal rate occurred even though Democrats held 47 less House seats and 4 less Senate seats in 1968. Furthermore, this equal rate is a bit misleading because LBJ made more legislative requests in 1968 (414) than he did in 1966 (371). Thus, in the final analysis, Johnson fared better in Congress in 1968 than he did in 1966. This result is not an artifact of Johnson requesting less, or getting less, from Congress in 1968. All accounts agree that 1968 was a better legislative year for the president despite the large Democratic losses in the 1966 midterms (CQ Almanac 1968).

Changes in the partisan composition of Congress cannot account for this difference in LBJ's legislative success between 1966 and 1968. In fact, this empirical difference in LBJ's legislative record is exactly the opposite of what party-based theories would predict.

Third, consider the variance in President Johnson's legislative record in 1965 and 1966. In other words, consider the extreme differences in President Johnson's legislative record within the 89th Congress. 1965 was unquestionably Johnson's best legislative year. Congress enacted both the largest percentage (68.9 percent) and the largest raw number (323) of LBJ's legislative requests in 1965. The president's legislative agenda did not fare nearly as well in the 2nd session of the 89th Congress as it had had in the 1st session. His roll-call success rate dropped dramatically in the Senate from 93 percent in 1965 to 69 percent in 1966. Moreover, the overall percentage of LBJ legislative requests granted by Congress fell about 12 percent from 1965 to 1966, despite the president requesting around 100 less items in 1966 than he did in 1965. While the numbers of Democrats in Congress remained nearly the same in 1966, the president's legislative agenda fared much worse.

Fourth and finally, there is a similar variance in President Johnson's legislative record within the 90th Congress, with one catch, which is that instead of losing legislative momentum as congressional elections approached as he did in 1966, Johnson gained legislative support in 1968 in comparison to 1967. As mentioned early, 1968 was a better legislative year for the president than 1966 despite the fact that his party held 47 fewer seats in the House and 4 fewer seats in the Senate. Congress did not treat the president's agenda as kindly in the 1st session of the 90th Congress as it did during the 2nd session. In fact, 1967 was the worst legislative year of LBJ's presidency. Again, despite almost

identical numbers of Democrats in Congress in both 1967 and 1968, the president's legislative success varied in a substantively significant manner.

Changes in the Regional Composition of the Democratic Caucus

It is clear that changes in the partisan composition of Congress cannot fully explain the ups and downs of President Johnson's experience in the legislative arena. Another potential explanation is that changes in the regional composition of the Democratic Caucus, specifically the number of Southern Democrats in the caucus, help account for LBJ's varied experience with Congress. A look at Table 6.1 suggests that changes in the regional composition of the Democratic Caucus cannot explain much of the variance in Johnson's legislative success for three reasons. First, the percentage of Southern Democrats in the Senate Democratic Caucus remains nearly constant throughout Johnson's time as present. Second, Southern Democrats made up the largest percentage of the House Democratic Caucus in 1964, a year when LBJ was extremely successful in the legislative arena. Third, as I argue above, there are large differences in LBJ's legislative success rates *within* the 89th and 90th Congress. These large differences cannot be explain by changes in the regional composition of the Democratic Caucus because the composition of the caucus remained relatively stable within these two congresses.

Defining "Cross-Pressured" Members of Congress

In the following sections, I discuss how changes in the number and behavior of "cross-pressured" members of Congress affected LBJ's legislative success rates over the course of his presidency. By "cross-pressured" members of Congress, I mean those

Republicans who represent constituencies that the president won in the 1964 election as well as those Democrats representing constituencies that the president lost in the 1964 election. Cross-pressured Republicans represented constituencies where the president was strong, while cross-pressured Democrats represented constituencies where the president was weak.

Changes in the "Cross-Pressured" Composition of Congress

Neither party nor regionalism appears to adequately explain the variance in President Johnson's legislative success rates from 1964 to 1968. Changes in the partisan composition of Congress can partially explain why President Johnson's legislative agenda was most successful in the 89th Congress and least successful in 1967. However, they cannot account for the sharp difference in Johnson's legislative success within the 89th and 90th Congress. Nor can they help explain why President Johnson was more successful legislatively in 1968 than he was in 1966. Changes in the amount of Southern Democrats in the Democratic House and Senate Caucus do not appear to closely correlate with the changes in Johnson's legislative success. In order to fully understand Johnson's experience with Congress, we must go beyond explanations of legislative behavior that focus solely on partisanship and regionalism.

Considering the effects of constituency influence and electoral incentives alongside party appears to help solve the puzzle of LBJ's varied legislative success rates over time. I use the individual constituency and party characteristics of members to define "cross-pressured" members of Congress as 1) Democrats representing states or districts that Johnson lost in 1964 and 2) Republicans representing states or districts that Johnson won in 1964. Taken together with changes in the partisan composition of

Congress, changes in the number of "cross-pressured" members of Congress appears to explain at least one key difference in Johnson's legislative success over time.

Figure 6.4 shows that the percentage of cross-pressured members of the Republican Caucus grew in both the 89th Congress and 90th Congress. The Republican House Caucus grew by 38 members, from 149 members in the 89th Congress to 187 members in the 90th. Thirty six of these new Republicans were from districts that President Johnson won in 1964, increasing the percentage of cross-pressured Republicans in the House Republican Caucus by about 8 percent in the 90th Congress. Moreover, the number of cross-pressured Democrats increased slightly in the 90th Congress as well. These facts suggest the possibility that Democrats helped LBJ achieve such great legislative success in the 89th Congress, while support from cross-pressured Republicans helped LBJ achieving surprisingly high levels of legislative success in 1968. In order to fully explore this possibility, I next investigate changes in presidential popularity over time and then examine how these fluctuations may have affected the voting behavior of cross-pressured members, especially vulnerable members of the House and senators up for reelection.

Changes in Presidential Popularity

President Johnson's national presidential approval ratings may help explain part, but not all, of the fluctuations in LBJ's legislative success over time. Figure 6.5 displays the president's average annual approval ratings from 1964 to 1968.[24] LBJ's approval ratings steadily decreased each year, from a high of 87.6 percent approval in 1964 to a

[24] I exclude "don't know" or "no opinion" answers and present the percent age of respondents who both offer an approve/disapprove opinion and approve of the president.

low of 49 percent approval in 1968. Thus, changes in presidential approval may help explain why the president fared worse during the 2nd session of the 89th Congress in 1966 than he did in the 1st session in 1964. On the other hand, changes in the president's annual approval ratings do not appear to help explain why the president's legislative agenda fared better in Congress in 1968 than it did in 1967 or 1966.

Figure 6.6 provides a closer look at the president's approval ratings by presenting the results of each poll. This figure reveals that Johnson's approval ratings steadily decreased from 1964 through most of 1967, jumped a bit at the end of 1967, decreased a bit in mid-1968, and then jumped again at the end of 1968. Perhaps these two jumps in 1967 and 1968 helped the president gain momentum and achieve greater legislative success in 1968 than he did in 1966 or 1967, but it is difficult to make a case that they are the sole cause of LBJ's surprising success in 1968. Of course, this dissertation argues that members do not necessarily respond to national presidential popularity. Instead, I argue that members care more about president's strength in their own constituencies. The following section considers how constituency-level presidential strength, along with electoral incentives, may have affected the voting behavior of members of Congress during the Johnson presidency.

What Party, Southern Democrats, and National Presidential Approval Add to The Story

The prior sections investigated four potential causes of the fluctuations in LBJ's legislative fortunes over the course of his presidency. This investigation found that changes in the partisan composition of Congress do a good job explaining why President Johnson was more successful in the 89th Congress (1965-6) than he was in the 90th Congress. On the other hand, changes in the partisan composition of Congress fail to

explain thee empirical facts: 1) why the president's agenda fared better in 1965 than it did in 1966, 2) why the president was more successful in 1968 than he was in 1967, and 3) why Congress passed more of the Johnson agenda in 1968 than it did in 1966. The third empirical fact is especially difficult to square with party-based explanations of presidential success in the legislative arena, as Democrats held 47 fewer seats in the House and 4 fewer seats in the Senate in 1968 than they did in 1966. These are the three puzzles posed by President Johnson's legislative experience.

Changes in the partisan composition of Congress clearly explain some, but not nearly all, of the variance in LBJ's legislative success rate over time. Explanations rooted in changes in the number of Southern Democrats in Congress fare even worse. The percentage of Southern Democrats in the Senate Democratic Caucus remained relatively constant from 1964 to 1968. In the House of Representatives, LBJ's legislative record was worse in 1966 than it was in 1964 or 1968, despite the fact that there were more Southern Democrats in the House Democratic Caucus in both 1964 and 1968 than there were in 1966. Furthermore, as with party-based explanations, Southern Democrat-based explanations cannot explain the large differences in LBJ's legislative success rates *within* the 89th and 90th Congresses.

National presidential approval also does not appear to explain the ups and downs in President Johnson's legislative success rates over time. Annual averages of national presidential approval ratings reveal a monotonic decrease in LBJ's approval ratings as they decline with each year of his presidency. There is a small spike in Johnson's national approval at the beginning of 1968 that may help explain why the president was more successful in the legislative arena in that year than the previous two years. Overall, though, national approval ratings don't appear to add much to our understanding of LBJ's relationship with Congress.

In sum, changes in the partisan composition help us understand some, but not all, of the differences in Johnson's legislative success *across* Congresses. Further, they add little to our understanding of the president's legislative success *within* Congresses. Regional explanations placing the blame for LBJ's lower legislative success in 1966 and 1967 at the feet of Southern Democrats do not adequately explain the president's relationship with Congress. Nor do changes in presidential approval ratings. The best lead thus far is that changes in numbers and behavior of cross-pressured Democrats and Republicans may have caused the variation in LBJ's legislative success rates. The following section examines changes in the voting behavior of partisans, Southern Democrats, cross-pressured members, very safe members of the House, very vulnerable members of the House, senators up for reelection at the end of a Congress, and those senators not up for reelection. It finds that the combination of constituency-level presidential strength and electoral incentives can solve the puzzles posed by party-based and regional explanations.

Changes in Member Voting Behavior

An examination of changes in members' voting behavior helps solve the three puzzles posted by LBJ's legislative experience from 1964 to 1968. Table 6.2 presents the average presidential support scores of Democrats, Republicans, and Southern Democrats in both chambers of Congress. In both chambers, Democrats strongly supported the Johnson agenda in 1964 and 1965 while Republicans were hesitant to vote with the president. The drop in LBJ's legislative success rate in 1966 appears to be a result of all members decreasing their support of the president. This decrease was particularly sharp in the House Democratic Caucus. On the other hand, President Johnson had Republicans

to thank for the rise in his legislative success rate in 1968. Counter to the expectations of party-based explanations of presidential success in Congress, changes in the voting behavior of Republican members of Congress appear to explain why President Johnson's legislative agenda was more successful in Congress during 1968 than it was during either 1967 or 1966.

The first puzzle posed by Johnson's legislative experience is why his agenda did not fare as well in 1966 as it had in 1965 despite large Democratic majorities in both chambers of Congress. The changing voting behavior of all members of Congress, but especially Democrats, helps solve this puzzle. The average presidential support scores of Democrats, Republicans, and Southern Democrats all decreased from 1965 to 1966. This decrease is especially pronounced in the House Democratic Caucus, with the average presidential support score of House Democrats decreasing 11 percentage points in 1966. Congress in general ran away from the Johnson agenda in 1966, but House Democrats appear to have led the stampede. Democrats still supported the president a majority of the time in 1966, but their support was not nearly strong enough to keep Johnson's agenda afloat given the fact that Republicans supported the president even less in 1966 than they had in 1965.

A second, similar puzzle posed by Johnson's legislative experience is why his agenda fared better in 1968 than it did in 1967. In other words, why did Johnson's legislative success vary within the 90th Congress? The answer appears to lie in the changing voting behavior of Republican members of Congress, especially House Republicans. In both chambers of Congress, the average Democrat voted with the president less often in 1968 than they had in 1967. In the House, the average Republican voted for the president's agenda a majority of the time (51 percent) for the first time in LBJ's presidency. While the presidential support score of the average Republican

senator actually decreased from 1967 to 1968, at 47 percent it was just 1 percent less than the presidential support score of the average Democratic senators. Contrary to the expectations of party-based theories, Republican votes held the key to the increase in LBJ's legislative success rate from 1967 to 1968.

The third puzzle posed by LBJ's legislative experience, and the hardest to answer if we rely on party-based explanations, is the fact that Congress enacted more of the president's agenda in 1968 than it did in 1966. Democrats held 47 less House seats and 4 fewer Senate seats in 1968 than they did in 1966, yet Congress enacted an equal percentage of LBJ's legislative requests despite the fact that the president asked for more in 1968 than he had in 1966. Again, President Johnson had Republicans to thank for helping to enact so much of his legislative agenda in 1968. The average Senate Democrat's presidential support score was 9 percent less in 1968 than it was in 1966, while the average House Democrat's presidential support score was just 1 percent higher in 1968 than in 1966. On the other side of the aisle, average Republicans in both chambers of Congress had higher presidential support scores in 1968 than in 1966. This increase in the average Republican's presidential support score was particularly dramatic in the House, soaring from just 37 percent to 51 percent. Republican votes were crucial to the president's surprising legislative success in 1968.

Republicans gained 47 House seats in the 90th Congress. According to party-based theories, such a large pickup spells doom for the president's agenda. Paradoxically, President Johnson had the opposite experience as Congress enacted a greater number of presidential agenda items in 1968 than it had in 1966. Thus, party-based explanations cannot explain important parts of LBJ's legislative experience. The following section considers whether my alternative explanation, which contends that constituency influence and electoral incentives combine to systematically affect

members' votes on the presidential agenda, provides a better explanation of the fluctuations in LBJ's legislative experience.

Constituencies, Electoral Incentives, and Members' Votes on the LBJ Agenda

Adding constituency influence and electoral incentives to our explanation helps solve the three puzzles of LBJ's legislative experience. Table 6.3 presents the average presidential support scores for both cross-pressured and non cross-pressured members of Congress from 1965 to 1968.[25] First, as my argument predicts, the average presidential support score of cross-pressured Democrats from districts where LBJ was weak is lower than the average presidential support score of non cross-pressured Democrats in both chambers of Congress in every year. Second, the average presidential support score of cross-pressured Republicans from districts where LBJ was strong is higher than the average presidential support score of non cross-pressured Republican in both chambers of Congress in every year, with the exception of 1966 when the average presidential support score is equal for both types of Republican senators.

Solving the First Puzzle of LBJ's Legislative Experience

Cross-pressured members of both parties were clearly responsive to their constituents' view of LBJ from 1965 to 1968. Can changes in these members' voting behavior help explain the three puzzles of LBJ's legislative experience? Another look at Table 6.3 suggests that they can. In 1966, the average presidential support score of a cross-pressured House Democrat decreased to 37.9 percent. Cross-pressured Democrats

[25] I exclude 1965 from the analysis because JFK, and not LBJ, was at the top of the Democratic presidential ticket in 1960. Thus, the 1960 election returns are not a good measure of LBJ's strength in members' constituencies during 1964.

voted with LBJ just a little more than one-third of the time, less often than cross-pressured Republicans voted for the president's agenda. While the average presidential support scores of all types of members of Congress decreased in 1966, the average scores of cross-pressured House Democrats were particularly low.

The first puzzle of LBJ's legislative experience, why the president's agenda fared so much worse in 1966 than 1965, is solved by an understanding of the changes in members' voting behavior. Average Republicans and Democrats in both chambers of Congress decreased their support of the president. Cross-pressured House Democrats had particularly low levels of presidential support in 1966. Table 6.4 displays the average presidential support scores of cross-pressured Democrats and Republicans in different electoral situations. Changes in the voting behavior of cross-pressured members, particularly very vulnerable Republicans in the House and cross-pressured Senate Republicans not up for reelection, help solve the second and third puzzles of LBJ's legislative experience.

Solving the Second Puzzle of LBJ's Legislative Experience

Changes in the number of cross-pressured Republicans in Congress, in conjunction with changes in their voting behavior, help provide an answer about why President Johnson enjoyed greater legislative success in 1967 than he did in 1968, the second puzzle of LBJ's experience. In the House, Table 6.3 shows that the average presidential support scores of very safe and very vulnerable Republicans from districts where Johnson was strong rose by over 5 percent from 1967 to 1968. Moreover, the average presidential support score of very vulnerable cross-pressured House Republicans

was 52.5 percent in 1968, almost 10 percent higher than the average presidential support score of very vulnerable House Democrats from districts where Johnson was weak!

The behavior of cross-pressured members of the House in 1968 contradicts the conventional party-based wisdom regarding how members vote on the president's agenda. In the 90th Congress, 163 House Republicans represented constituencies where President Johnson was strong. On average, these Republicans supported the president's agenda more often than they opposed it. This Republican support was crucial to LBJ's surprising success in 1968. Not only did these Republicans tend to support the president on the majority of roll-call votes, they also supported the president much more often than cross-pressured Democrats. Party-based theories of executive-legislation relations fail to explain either of these two empirical facts of LBJ's legislative life in 1968.

Republican votes in the Senate also help explain the increase in Johnson's legislative success from 1967 to 1968. On average, both Democratic and Republican senators support the president less often in 1968 than they did in 1967. The increase in LBJ's legislative success rate is odd given the overall decrease in senators' average presidential support scores. A look at the average presidential support scores of cross-pressured senators in different electoral situations reveals that cross-pressured Republican senators who were not up for reelection in 1968 were the one and only type of senator whose average presidential support score was above 50 percent in 1968. As predicted by the Constituency Hypothesis and the Safety Hypothesis, electorally safe Republican senators from states where LBJ was strong supported him more often than their colleagues. In fact, they supported the president more often than senators from the president's own party! The combination of constituency and electoral incentives affected Republicans' voting behavior in both chambers of Congress and allowed the president to enjoy surprising legislative success in 1968.

Solving the Third Puzzle of LBJ's Legislative Experience

The third puzzle presented by LBJ's legislative experience is why the president did as well, or better, in the legislative arena in 1968 than he did in 1966 despite Democrats controlling 47 fewer House seats and four fewer seats in the Senate. A look at Table 6.2 reveals that the average presidential support score of House Democrats was about the same in both years, while the average presidential support score of Senate Democrats was 9 percent lower. According to party-based explanations, President Johnson's should have done much worse in the legislative arena. Not only did the president have fewer party members in Congress, over average these party members supported him less often. Yet the president did well for a simple reason. Republicans voted with him more often in 1968 than they did in 1966. This increased support as especially strong from very vulnerable cross-pressured members of the House, as well as Republican senators not up for reelection at the end of the 90th Congress.

Changes in Republican voting behavior help explain why President Johnson was more successful in the House in 1968 than he was in 1966. Table 6.3 shows that the average presidential support scores of non cross-pressured Republicans increased by about 15 percent from 1966 to 1968, while the average scores of cross-pressured Republicans increased by about 12 percent. On average, both types of Republicans supported the president more often than House Democrats from districts where the president was weak! As predicted by the Constituency Hypothesis, but ignored by party-based explanations of presidential coalition building, House Democrats from districts where the president was weak slowed the passage of the president's agenda in both 1966 and 1968. As a result, Republican votes were critical to LBJ's success in the House.

The changing voting behavior of Republican members, especially cross-pressured Republicans, is one key to understanding LBJ's increased success in the House in 1968.

On the Senate side of the Capitol Building, increased support from Republicans was also critical to LBJ's increased success in 1968. Table 6.3 again shows that the average support scores of all Senate Democrats actually decreased from 1966 to 1968. The action in the Senate demonstrates why the Safety Hypothesis contributes to our understanding of presidential coalition building. Almost all Senate Republicans represented states where LBJ was strong. The average presidential support score of these cross-pressured Republican senators increased by 5 percent from 1966 to 1968. This increased Republican support was the result of increased support from electorally safe Republicans, i.e. those Republican senators not up for reelection at the end of the session in 1968 (see Table 6.4). In the 90th Congress, eleven cross-pressured Republican senators faced reelection in 1968, while twenty four were not up for reelection. On average, these twenty four electorally safe Republican senators supported the president the majority of the time in 1968 (51.1 percent). They are the only group of senators whose average presidential support increased substantially from 1966 to 1968. As the Safety Hypothesis suggests, electorally safe Republican senators had greater freedom in their voting behavior in 1968. As the Constituency Hypothesis suggests, Republican senators from states where President Johnson was strong followed their constituents' lead and supported the president more often than other Republican senators. In fact, they supported the president more often than the average Senate Democrat!

CONCLUSION

This chapter presents a case to highlight the deficiencies of using only party-based explanations to understand how presidents build winning legislative coalitions. President Johnson enjoyed large Democratic majorities throughout his presidency. While he was historically successful enacting his agenda in part thanks to these majorities, he also experienced two years of relative gridlock. Furthermore, when we examine the variance in LBJ's legislative success rates over time, three puzzles arise from party-based explanations. First, why was the president so much more successful in 1965 than he was in 1966 despite having identical numbers of Democrats in Congress? Second, why was the president more successful in 1968 than he was in 1967? Finally, and most puzzling, why was the president equally or more successful in 1968 than he was in 1966 despite having fewer Democrats in Congress? In short, party-based explanations fail to explain the variance in LBJ's legislative success rates within both the 89th and 90th Congress. They also fail to explain why the president was more successful in the 2nd session of the 90th Congress than he was in the 2nd session of the 89th Congress.

After exploring whether changes in the partisan or regional composition of Congress account for the variance in LBJ's legislative success over time, I find that two factors provide a better explanation. Changes in the number of cross-pressured members in Congress and changes in the voting behavior of members of Congress help explain LBJ's legislative experience.

The variance in LBJ's legislative within the 89th Congress (1965 – 1966) is explained by changes in member voting behavior. As President Johnson's approval fell, so did members' support of his agenda. The decrease in Johnson's legislative success rates from 1965 to 1966 can be explained by the decreasing presidential support of all members of Congress. In particular, support from cross-pressured Democrats fell to

around 38 percent. On almost two of every three LBJ agenda votes, the president could not count on votes from these members of his own party.

Fluctuations in Johnson's legislative success within the 90th Congress (1967 – 1968) can be explained by changes in the voting behavior of Republican members of Congress. On average, the 163 cross-pressured House Republicans from constituencies where President Johnson was strong voted for the president's agenda 52.5 percent of the time. The support of these Republican members helped LBJ overcome opposition from many members of his own party, especially those Democrats from constituencies where the president was weak. In the Senate, Republican senators not up for reelection held the key to LBJ's increased success in 1968. On average, these safe senators supported the president more often than the average Democrat. The changing voting behavior of Republican members also helps explain why the president's agenda fared better in 1968 than it did in 1966, despite smaller Democratic majorities in both chambers of Congress.

President Johnson's legislative experience demonstrates why party-based explanations do not adequately explain how presidents build the enacting coalitions needed to be successful in the legislative arena. President Johnson enjoyed large Democratic majorities in both chambers of Congress throughout his presidency, but he experienced relative gridlock with Congress for two of his five years as president. The fluctuations in LBJ's legislative success cannot be explained by the number of Democrats in Congress, the number of Southern Democrats in Congress, or changes in the voting behavior of Democrats alone. Contrary to the expectations of party-based explanations, Democrats often held up the president's agenda items while Republicans often provided the president with the votes he needed to enact his agenda. The systematic influence of constituencies and electoral incentives allow us to explain and understand this puzzling behavior by Republican and Democratic members of Congress.

The following chapter presents a case study that presents another strong test of my argument. I investigate President Obama's experience in the 111th Congress. If ever any president would be able to enact his agenda on the strength of partisan politics alone, either Lyndon Baines Johnson or Barack Obama would have been that president. Both men enjoyed large Democratic majorities in Congress and impressive legislative success. This chapter makes clear that party alone is not enough to account for Johnson's legislative success. The following chapter argues that party-based theories also fail to explain Barack Obama's legislative success in a highly polarized political environment during the 111th Congress.

Figure 6.1 - LBJ's Roll-Call Success Rate, 1964 - 1968

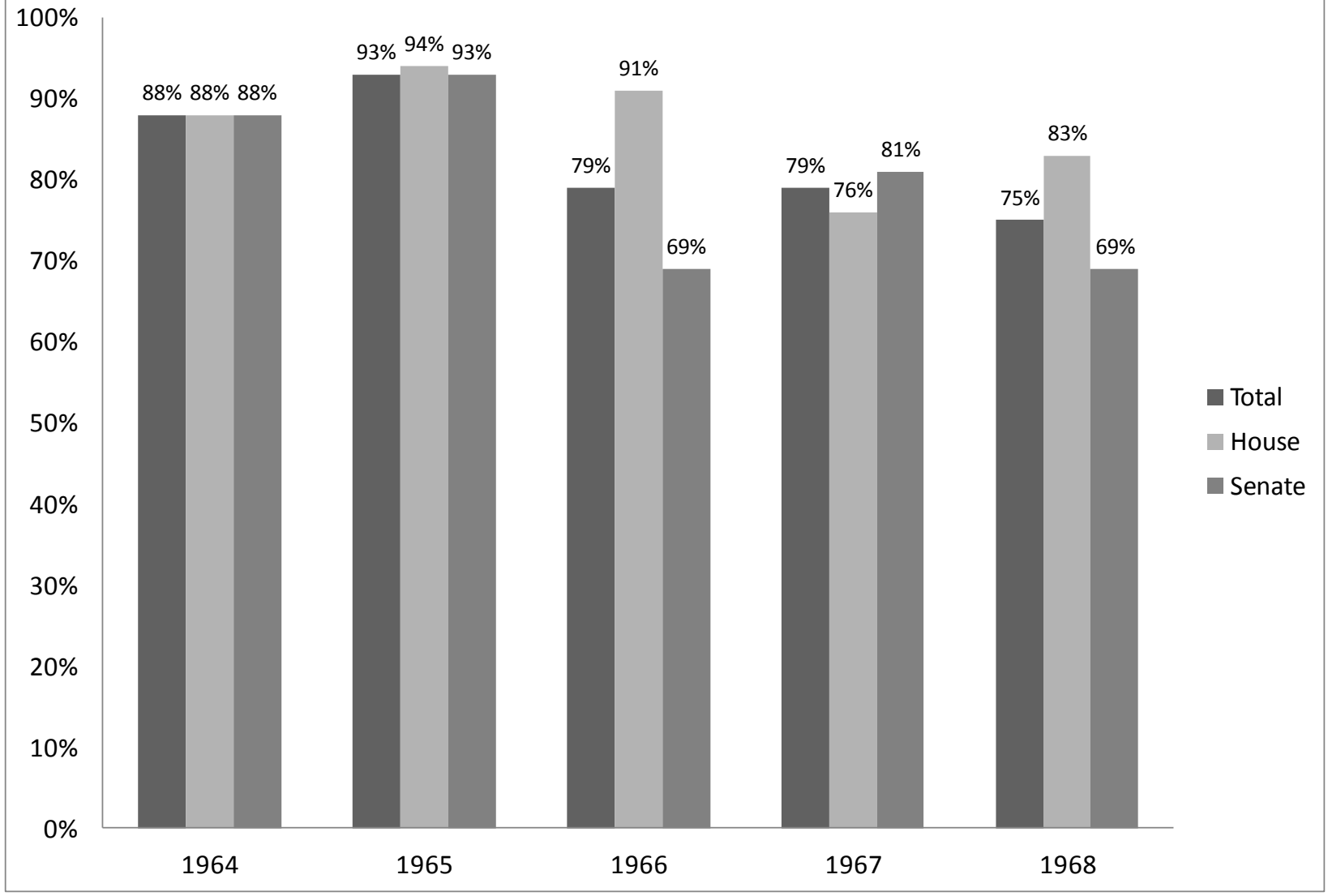


Figure 6.2 - Percentage of LBJ Requests Enacted, 1964 - 1968

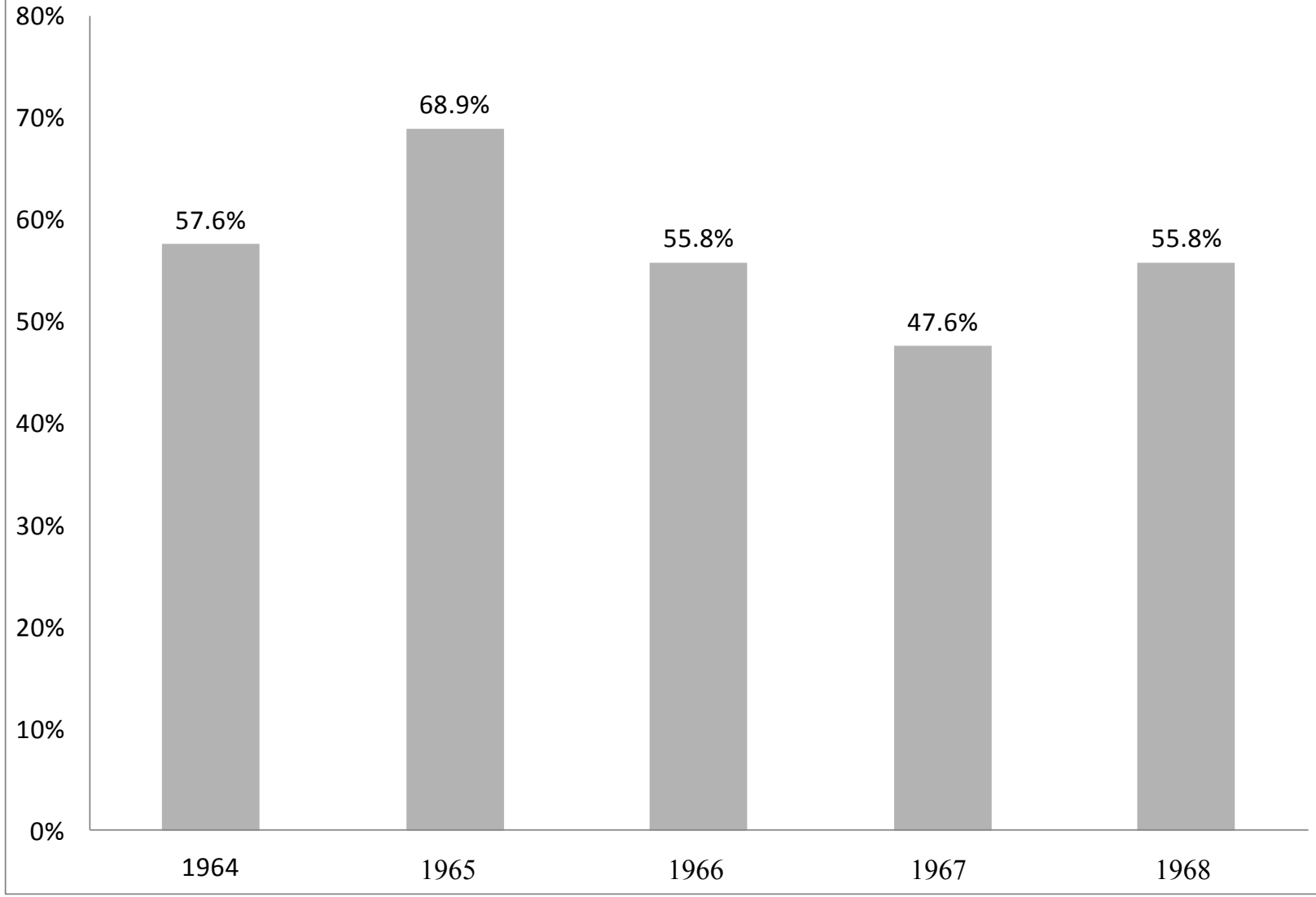


Figure 6.3 - Number of Roll Call Votes on LBJ Agenda Items, 1964 - 1968

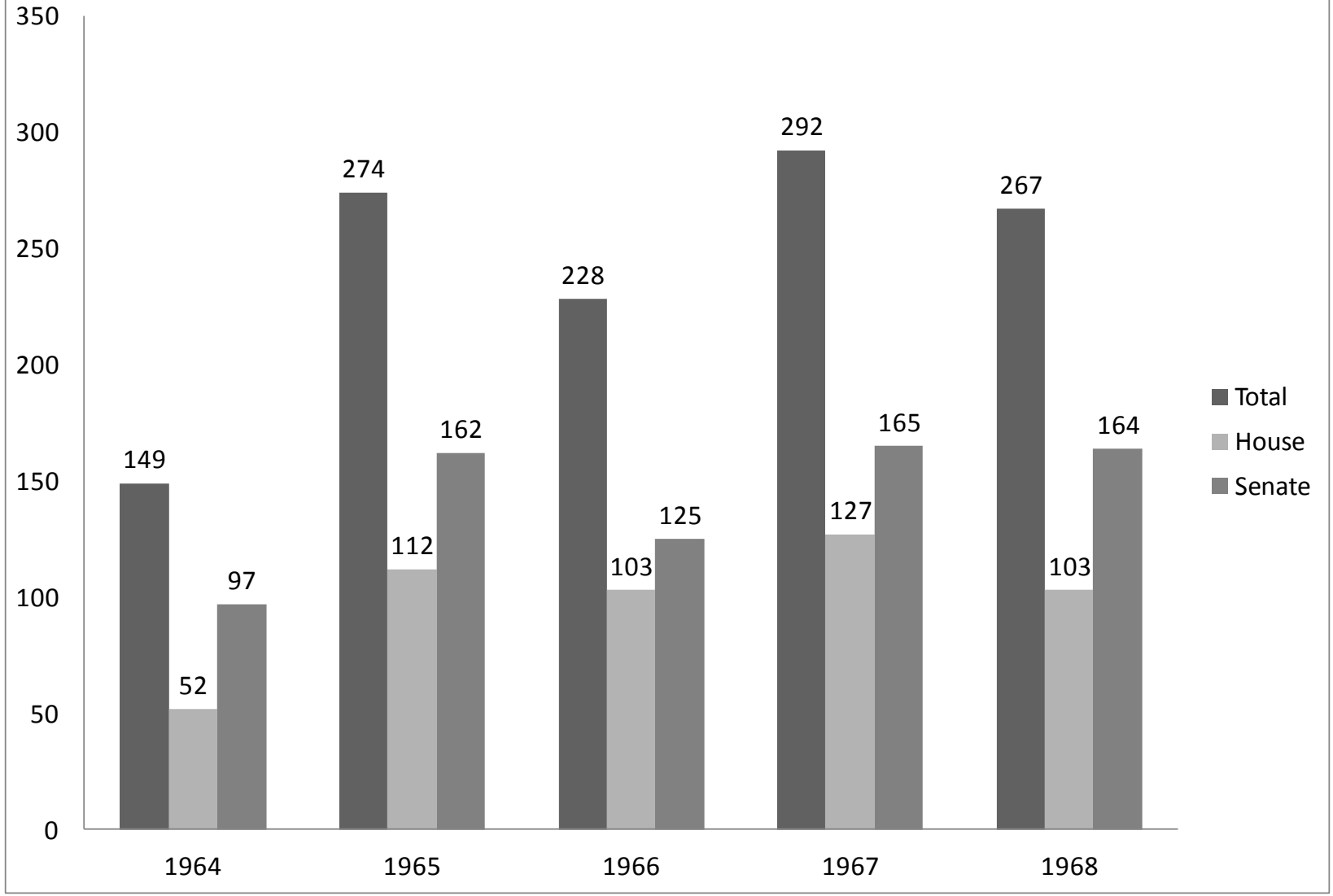
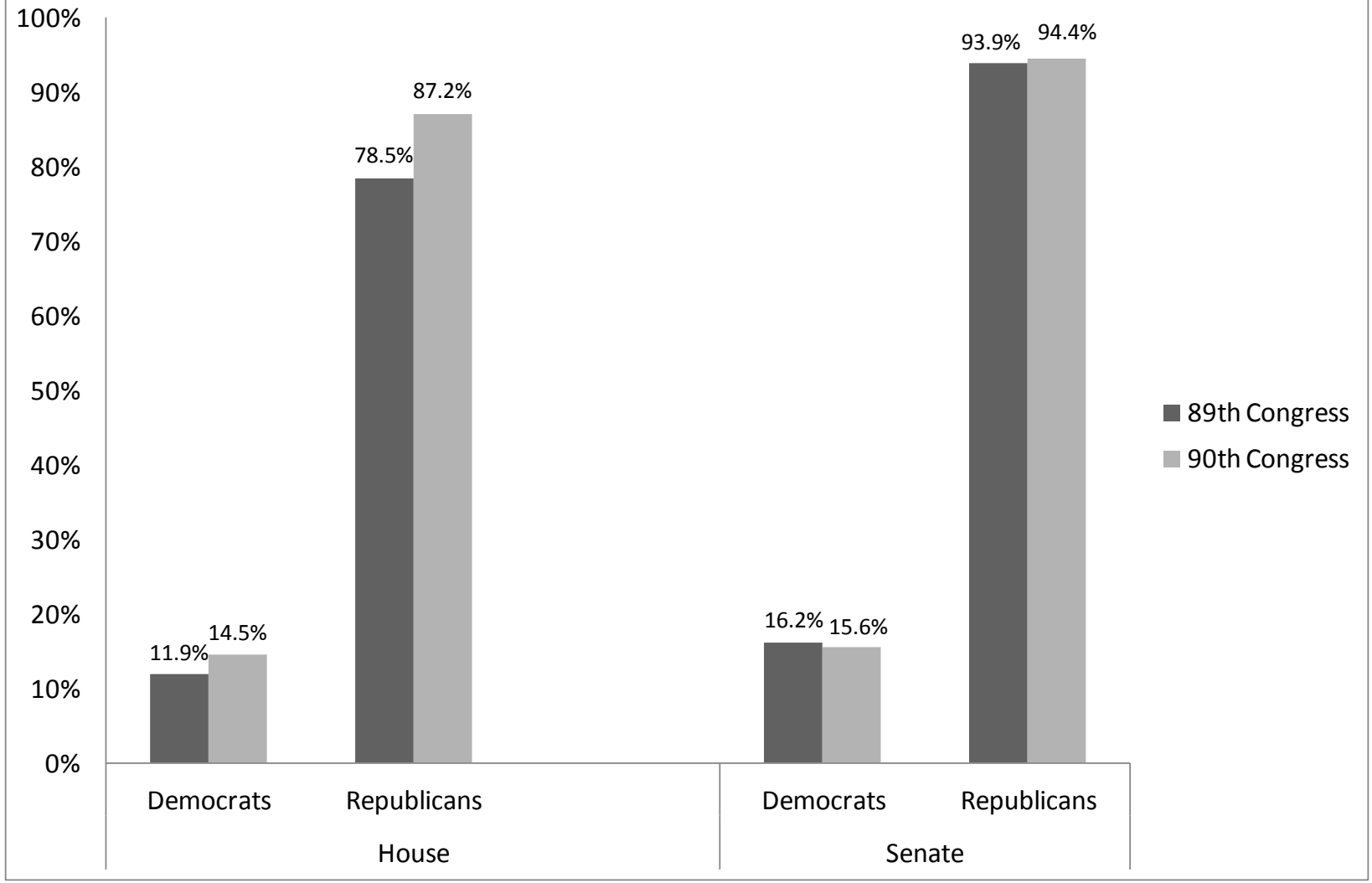


Figure 6.4 - Percentage of Cross-Pressured Members in Each Party's Caucus, 89th and 90th Congress



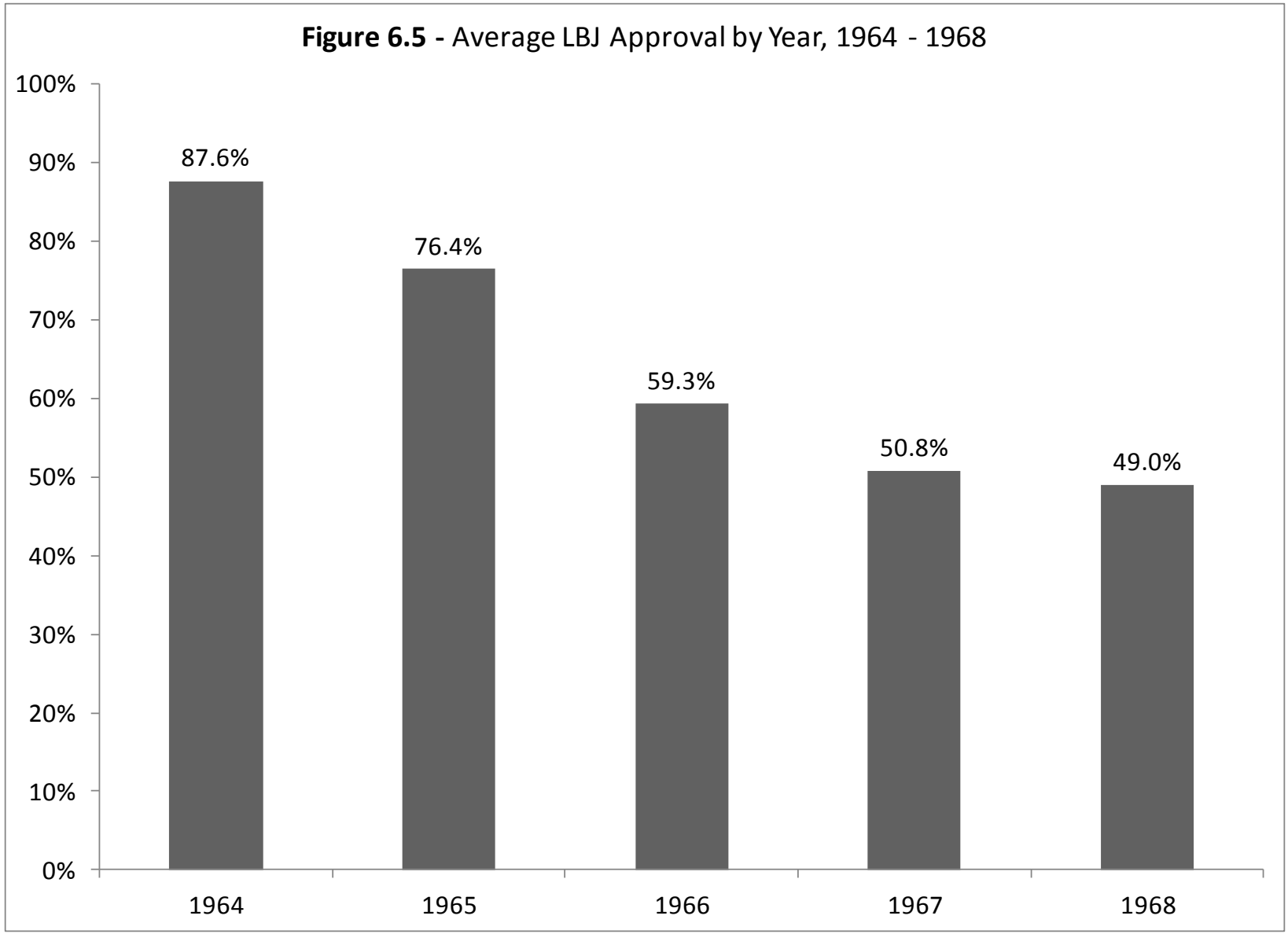


Figure 6.5 - Average LBJ Approval by Year, 1964 - 1968
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
87.6%
76.4%
59.3%
50.8%
49.0%
1964
1965
1966
1967
1968

Figure 6.6 - LBJ Presidential Approval, 12/63 to 12/68

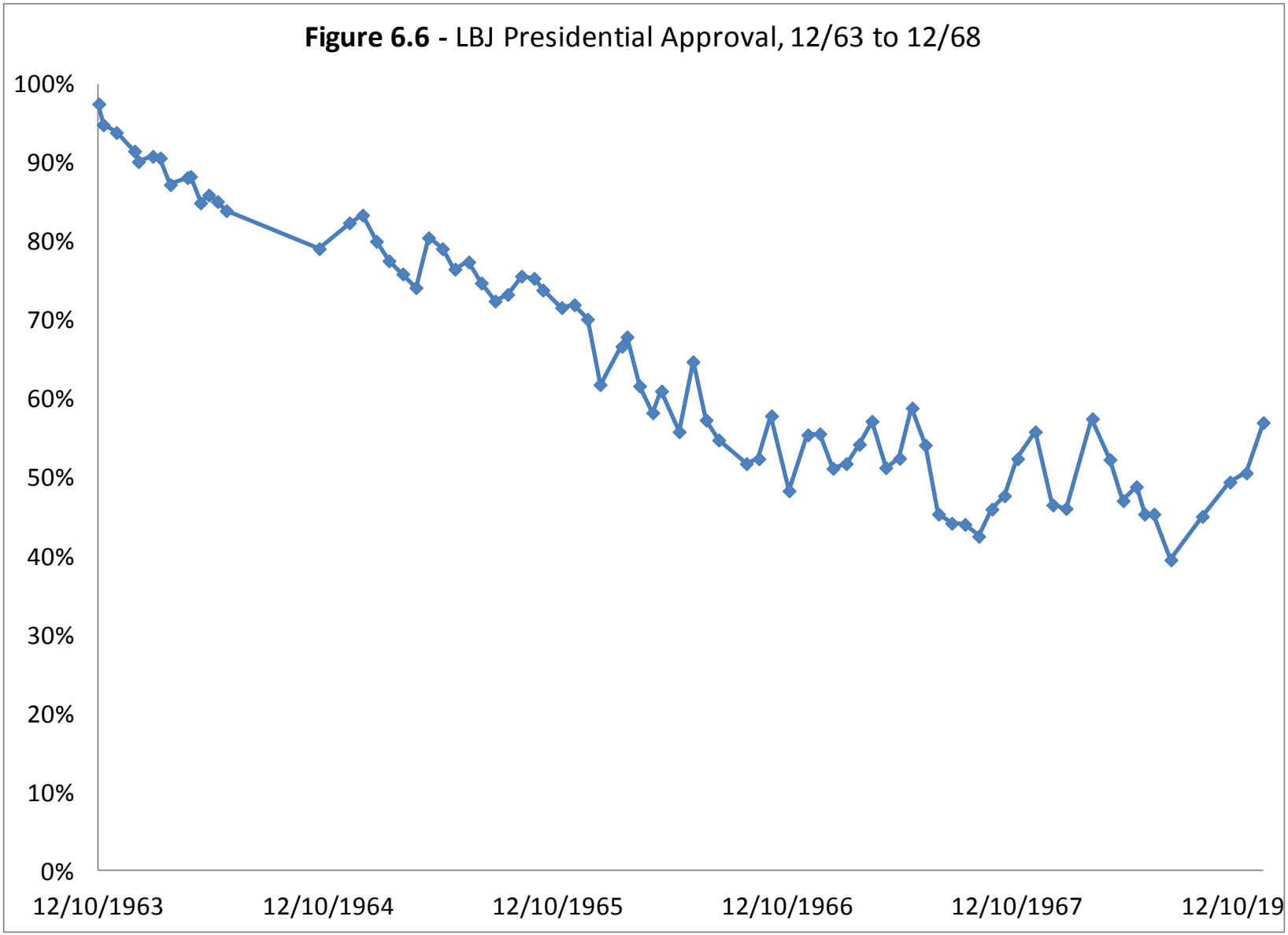


Table 6.1: The Partisan and Regional Composition of the 88th, 89th, and 90th Congress

Panel A: The Partisan Composition of the House and Senate

	House		Senate	
	Democrats	Republicans	Democrats	Republicans
88th Congress	258	176	67	33
89th Congress	295	140	68	32
90th Congress	248	187	64	36

Panel B: The Regional Composition of the Democratic Caucus in the House and Senate

	House		Senate	
	Northern Democrats	Southern Democrats	Northern Democrats	Southern Democrats
88th Congress	163	95	46	21
89th Congress	204	91	47	22
90th Congress	164	84	43	19

Panel C: The Cross-Pressured Composition of Congress

	House			
	Non Cross-Pressured Democrats	Cross-Pressured Democrats	Non Cross-Pressured Republicans	Cross-Pressured Republicans
88th Congress	181	77	139	37
89th Congress	260	35	32	117
90th Congress	212	36	24	163

	Senate			
	Non Cross-Pressured Democrats	Cross-Pressured Democrats	Non Cross-Pressured Republicans	Cross-Pressured Republicans
88th Congress	36	31	21	12
89th Congress	57	11	2	31
90th Congress	54	10	2	34

Table 6.2: Average Presidential Support Scores by Party, 1964 - 1968

	House Democrats	House Republicans	Senate Democrats	Senate Republicans
1964	74%	38%	61%	45%
1965	74%	41%	64%	48%
1966	63%	37%	57%	43%
1967	69%	46%	61%	53%
1968	64%	51%	48%	47%

	House Southern Democrats	Senate Southern Democrats
1964	61%	53%
1965	57%	49%
1966	49%	46%
1967	55%	57%
1968	52%	39%

Table 6.3: Average Presidential Support Scores of Cross-Pressured Members of Congress and Non Cross-Pressured Members of Congress, 1965 - 1968

Panel A: House

	Democrats		Republicans	
	Not Cross-Pressured	Cross-Pressured	Not Cross-Pressured	Cross-Pressured
1965	77.5%	45.5%	30.1%	43.5%
1966	66.7%	37.9%	28.4%	39.6%
1967	73.3%	45.1%	39.4%	47.0%
1968	67.3%	43.9%	44.0%	52.5%

Panel B: Senate

	Democrats		Republicans	
	Not Cross-Pressured	Cross-Pressured	Not Cross-Pressured	Cross-Pressured
1965	66.6%	41.1%	38.0%	49.0%
1966	59.5%	40.0%	43.0%	43.0%
1967	61.7%	56.7%	45.0%	53.3%
1968	52.1%	36.3%	31.0%	48.2%

Table 6.4: Average Presidential Support Scores of Cross-Pressured Members of Congress With Different Electoral Incentives, 1965 - 1968

Panel A: House

	Democrats		Republicans	
	Very Safe	Very Vulnerable	Very Safe	Very Vulnerable
1964	59.2%	74.8%	44.4%	41.5%
1965	38.4%	62.1%	44.1%	40.3%
1966	33.3%	47.9%	40.1%	37.4%
1967	42.2%	49.3%	49.1%	48.8%
1968	42.6%	46.0%	54.6%	53.8%

	Democrats		Republicans	
	Not Up for Reelection	Up for Reelection	Not Up for Reelection	Up for Reelection
1964	64.2%	61.2%	51.5%	46.5%
1965	52.5%	36.5%	50.1%	47.6%
1966	42.8%	35.8%	44.1%	41.7%
1967	52.0%	61.4%	53.3%	53.4%
1968	38.2%	34.4%	51.1%	41.9%

Chapter 7: Between Barack and a Blue State – Constituency Influence and Electoral Incentives in the 111th Congress

This chapter analyzes President Obama's experience with the 111th Congress and finds that the president's strength in members' constituencies had a systematic effect on members' voting in both chambers of Congress. Relative to other members of their party, members of Congress from constituencies where the president is strong are more likely to support his agenda, while members from constituencies where the president is weak are less likely to support his agenda. This effect exists for both presidential partisans and opposition party members, and is especially strong on electorally vulnerable members. Furthermore, the empirical analysis finds that members' electoral incentives had a systematic effect on member voting behavior in the House of Representatives as electorally vulnerable House Democrats from constituencies where President Obama was weak regularly voted against the president's agenda. The president's strength in members' constituencies, in conjunction with members' electoral incentives, affected President Obama's ability to successfully build legislative coalitions in the 111th Congress.

President Obama's experience in the legislative arena during the 111th Congress presents a puzzle given our current understanding of how presidents build successful enacting coalitions. The dominant theory describing how presidents pass their agenda into law argues that presidential success in Congress is a function of partisan politics alone. This theory holds that presidents will be successful when their party holds a majority in Congress and unsuccessful otherwise. While this theory does a good job of explaining the variance in presidential success across congresses, it does not work well when examining the voting behavior of individual members or the passage of individual bills.

This chapter uses the 111th Congress as a case study to demonstrate why political scientists need to look beyond party politics in order to understand how presidents enact their agendas into law. President Obama enjoyed both large partisan majorities and high rates of success in the 111th Congress, but he needed Republican votes to pass the vast majority of his legislative agenda. This paper analyzes the major legislative battles in the 111th Congress and finds that the president's strength in members' constituencies explains why some members crossed party lines on presidential agenda votes. Vulnerable members of Congress were particularly attentive to their constituencies.

President Obama took office with large Democratic majorities in both the House and the Senate. Along with these majorities came an expectation that the president could use them to pass almost anything he wanted into law. Yet Congress took over a year to enact health care reform, the president's top legislative priority, into law. His second legislative priority, a comprehensive energy bill intended to combat climate change, never became law. Despite these difficulties enacting particular parts of his agenda into law, in the aggregate the president performed quite well in the legislative arena during the 111th Congress. In 2009 President Obama enjoyed the highest presidential success rate of any president since *Congressional Quarterly* started tracking presidential success in 1953 (Gonyea 2010). This high success rate was in part due to large Democratic majorities in Congress and the president's strategic position taking (Binder 2010), but President Obama is not the first president to enjoy a large congressional majority. Nor is he the first president to strategically support bills that have a high probability of success.

Party-based explanations of executive-legislative relations can explain President Obama's high rate of overall success with the 111th Congress, but they cannot explain the difficulty that President Obama faced in quickly passing his agenda into law. Nor can they explain the fact that almost all of President Obama's enacting coalitions needed

Republican votes in at least one chamber of Congress in order to be successful. Table 7.1 displays the Obama agenda items enacted during the 111th Congress. Only 11 out of these 33 bills (33 percent) became law without needing Republican votes. A large number of Democratic votes against Obama's agenda items in the House slowed the president's ability to pass his agenda into law, while a handful of Republicans eventually provided the president with sometimes decisive votes in support of his agenda. In the Senate, President Obama almost always needed Republican votes in order to invoke cloture and overcome filibusters. This type of voting behavior, with members voting against their party caucus's position on presidential agenda votes, cannot be accounted for by either party or ideology. No Republican in the 111th Congress has a more liberal DW-NOMINATE score than the most conservative Democrat (Voteview.com). As a result, the 111th Congress presents a puzzle given our current understanding of the relationship between Congress and the president.

This chapter argues that the systematic relationship between the president's strength in members' constituencies, members' electoral incentives, and presidential support helps solve the puzzle of President Obama's experience in the 111th Congress. The president's standing with members' constituents, and its effect on member voting behavior, helps explain both 1) the large amount of Democratic defections from President Obama's legislative coalitions in the House, and 2) the decisions of Republican representatives and senators to provide the president with often critical votes. The Democrats who defected from their party caucus on Obama agenda items usually represented constituencies where President Obama was weak, while the Republicans who supported the president on final-passage votes tended to represent blue states or districts where the president was strong.

This chapter proceeds by summarizing the patterns that arise from members' votes on President Obama's agenda during the 111th Congress. I argue that the Constituency Hypothesis and Vulnerability Hypothesis explain these patterns better than party-based theories of presidential coalition building. To demonstrate how an appreciation of the systematic effects of constituency and electoral incentives allows for a better understanding of President Obama's experience in the 111th Congress, I test these two hypotheses using both overall presidential support scores and particular votes on specific Obama agenda items. The chapter concludes by explaining how understanding the effects of constituency and vulnerability can help political scientists understand Obama's experience with the 111th Congress in particular, and the relationship between Congress and the president in general.

HOW PRESIDENTS AND CONSTITUENTS INFLUENCE CONGRESSIONAL BEHAVIOR

On July 22, 2009, during a nationally televised prime-time press conference a reporter asked President Obama if it was the president's job to "get a deal done" on a national health-care reform bill. The president immediately responded "Absolutely, it's my job. I'm the president. And I think this has to get done." (*CQ Transcriptions* 2009). The next day at a town hall meeting in Ohio, the president forcefully reiterated his goals for Congress on health-care reform. President Obama provided a brief overview of the legislative process when he told the audience "I want the bill to get out of the committees; and then I want that bill to go to the floor; and then I want that bill to be reconciled between the House and the Senate; and then I want to sign a bill" (Kaiser Health News). On the biggest domestic policy debate in years, the president took responsibility for the bill's passage and set clear goals and deadlines for Congress.

By the end of the 111th Congress, President Obama accomplished his legislative goals on both health care and a number of other issues. He did so with legislative coalitions that augmented a large base of presidential party members with a small bloc of opposition party members. The president was able to form these coalitions because members' electoral incentives made some Republican members systematically inclined to support the president. He needed these Republicans' votes because members' electoral incentives made some Democrats systematically inclined to oppose the president.

The types of enacting coalitions found in the 111th Congress, with the president augmenting a base of presidential party members with at least a few opposition party members, are not uncommon. In fact, they are the norm. Table 1.1 revealed that over 95 percent of all major presidential agenda items needed votes from opposition party members in order to become law. As a result of this empirical fact of legislative life, party-based explanations fail to fully explain how presidents create the coalitions necessary to pass individual bills into law. This paper uses Obama's experience with the 111th Congress as a case study to investigate the larger questions of 1) whether constituencies influence the voting behavior of their representatives in Congress, 2) whether electorally vulnerable members are more attentive than others to their constituency's preferences, and 3) which members of Congress are the most likely to vote against their party caucus's position on presidential agenda items. The 111th Congress is a particularly good case study because President Obama enjoyed large legislative majorities in both chambers of Congress. If any president at any time in history would be able to pass major bills into law with votes from presidential party members alone, the 111th Congress was that time and President Obama was that president. However, with the exception of health care reform, President Obama always needed Republican votes in order to enact his agenda into law. He needed these Republican votes due to Democratic

votes against the president's legislative agenda. The following section proposes two hypotheses that explain why some members of Congress are systematically more likely than others to vote against their party caucus on presidential agenda items.

The Constituency Hypothesis

For the purposes of this chapter, the Constituency Hypothesis holds that members of the 111th Congress will vary their support President Obama's agenda in accordance with the president's strength in their constituency.

> **The Constituency Hypothesis:** As the president's strength in the member's constituency increases, that member's presidential support increases.

I again use *Presidential Strength* to test the Constituency Hypothesis. For the House analysis, I again use the president's vote share in a member's district to measure presidential strength. Thanks to advances in the frequency and specificity of presidential approval polls, in this chapter I am able to directly measure state-level presidential strength using state-level presidential approval numbers.

To test the Constituency Hypothesis in the House, this paper uses presidential vote share as a measure of presidential strength. While this measure is both the best available measure of constituency-level presidential strength in all 435 House districts and quite a good measure of presidential strength as well, it does have limitations because it is not a direct measure of presidential strength at the time that Congress votes on the president's agenda. To increase the robustness of the analysis, I use a direct measure of presidential strength to test the Constituency Hypothesis in the Senate. The Senate analysis uses President Obama's annual state-level presidential approval ratings from

Gallup's "State of the States" study.[26] This measure clearly and directly measures President Obama's strength in senators' states.

The Vulnerability Hypothesis

In this chapter, the Vulnerability Hypothesis holds that vulnerable members of the 111th Congress will be the most likely to follow their constituency's lead when voting on President Obama's agenda.

> **The Vulnerability Hypothesis:** Vulnerable members from constituencies where President Obama was strong will be more likely than other members to support the president. Conversely, vulnerable members from constituencies where President Obama was weak will be less likely than other members to support the president.

I again use the *Vulnerability* variable and the *Presidential Strength* * *Vulnerability* interaction term to test the Vulnerability Hypothesis. The one difference is that the Senate analysis uses President Obama's annual state-level presidential approval ratings from Gallup's "State of the States" study to measure *Presidential Strength*.

TESTING THE INFLUENCE OF CONSTITUENCY AND VULNERABILITY IN THE 111TH CONGRESS

This chapter tests the Constituency and Vulnerability Hypotheses in two ways. First, I take a broad view and perform linear regressions with members' *CQ* Presidential Support scores as the dependent variable. These scores measure the percentage of time that a member voted in accordance with President Obama's position on roll-call votes in

[26] As an additional robustness check, I also performed the Senate analyses using the "presidential strength" variable as measure by President Obama's state-level vote share. The results are nearly identical to those using Gallup's state-level approval ratings, as expected given the high correlation between the two measures.

the 111th Congress.[27] [28] As a second test, I use logistic regressions to analyze roll-call votes on high-profile Obama agenda items in the Senate. The regressions predict the probability that a member casts a vote in support of the president's position. In the Senate, I examine member voting behavior on 1) the "Jobs for Main Street" bill that President Obama advocated during his first State of the Union address and 2) the financial regulation reform bill championed by the president. In the House, I investigate votes on 1) health care reform and 2) the "cap and trade" energy reform bill.

I perform the above tests using a dataset that includes observations for each member of the 111th Congress. In addition to the constituency and vulnerability independent variables discussed above, I control for party. *Presidential Party* equals 1 if the member caucuses with the president's political party, and 0 otherwise. I do not control for ideology due to the endogenous relationship between NOMINATE scores and presidential support scores.[29] I first present the results of the test analyzing overall

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[27] Some scholars question the use of presidential support scores as evidence of presidential influence. The basic argument is that presidential support scores only measure how often members vote as the president would like them to vote, not how often the president actually influences such decisions (Pritchard 1985). Presidential support scores are an appropriate measure for this paper because I wish to argue that party, presidential strength, and a member's electoral vulnerability all systematically affect members' propensity to support President Obama's agenda. I am not arguing that the president himself directly influences these members' votes (although he may). Instead, I argue that the president's strength in members' constituencies is a systematic influence member voting decisions.

[28] Edwards (1989) suggests refining *CQ*'s Presidential Support Scores to include only "non-consensual" votes. An analysis of the correlation between *CQ*'s measure and Edwards's measure for the years 1957 to 2005 reveals that the correlation is almost always >0.9 and often >0.99, making the two measures nearly identical for the purposes of this paper. Edwards's measures are invaluable if we wish to compare presidential success and presidential support across congressional sessions, but with the research design employed in this paper, the empirical results will be similar regardless of which measure is used. My purpose is to look at the variance amongst members within the 111th Congress and demonstrate that President Obama's strength in members' constituencies combines with member vulnerability to make certain members of the 111th Congress more likely to support the president than others.

[29] Ideology is certainly an important factor in member voting behavior, but it is quite difficult to measure. Accordingly, I do not include a measure of ideology in the models. The usual measure of ideology, NOMINATE, is a summarized voting score. It is not an appropriate independent variable for this study

presidential support, and then discuss the results from the test of members' votes on individual Obama agenda items.

CONSTITUENCY, VULNERABILITY, AND PRESIDENTIAL SUPPORT IN THE HOUSE

The president's strength in members' constituencies and member vulnerability are both statistically and substantively related to members' presidential support scores in the 111th House. The president's strength in members' constituencies had a strong independent effect on members' presidential support scores. Table 7.2 presents presidential strength's effect on members with mean levels of vulnerability.[30] For average members of the House, a 10% increase in President Obama's vote share in their district is associated with a 5% increase in their support for the president's agenda.[31] In the 111th Congress, members of the House from districts with high presidential strength supported the president's agenda significantly more often than other members.

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because my dependent variables, *CQ*'s presidential support scores and individual roll-call votes, are either summarized voting scores or votes themselves. Therefore, the relationship between NOMINATE and these two variables is endogenous. As a robustness check, I ran the models in this study and included members' DW-NOMINATE scores as an independent variable. The House results are robust to NOMINATE's inclusion as an independent variable, with no difference in the statistical or substantive significance of constituency and member vulnerability. The Senate results are a bit less robust when NOMINATE is included due to the low number of observations in the Senate and the endogenous, collinear relationship between NOMINATE and the dependent variables.

[30] When reporting results from models with interaction terms, it is not appropriate to interpret the coefficients of the lower-order variables as unconditional marginal effects (Braumoeller 2004, Brambor, Clark and Golder 2006). Accordingly, I report the effect of presidential vote share for members at the mean level of vulnerability in the 111th Congress. Similarly, I calculate vulnerability's effect on members at the mean level of presidential vote share. In Tables 1 and 3, I present coefficients and standard errors for these effects instead of presenting the coefficients and standard errors of the lower-order variables.

[31] A coefficient of 10 on the presidential vote share variable would mean that an increase of 10% in the president's vote share in a member's constituency leads to a 1% increase in that member's presidential support score, while a coefficient of 100 would equal a 10% increase in presidential support for every 10% increase in the president's vote share.

Member vulnerability is related to representatives' presidential support scores as well. Table 7.3 shows that, in districts with mean levels of presidential strength, vulnerable members of the House supported President Obama's agenda more often than safe members. In addition to the independent effects of member vulnerability and presidential strength on presidential support, the president's standing in members' constituencies had an interactive effect with member vulnerability as well. The term interacting member vulnerability and the president's vote share in members' constituencies is both statistically and substantively significant. Vulnerable members of the House from districts where President Obama was strong supported the president more often than other members of Congress.

The interaction term allows for two additional tests of the Constituency and Vulnerability Hypotheses. First, if the two hypotheses are correct, they imply that the marginal effect of member vulnerability should be 1) negative for members from districts with low presidential strength and 2) positive for members from districts with high presidential strength. Table 7.3 shows that this statement, an empirical implication of my argument, accurately describes member behavior in the 111th House. Vulnerability has a negative marginal effect (-6.63) on members from districts where the president is weak and a positive marginal effect (13.47) on members from districts where the president is strong. Second, if the two hypotheses are correct, they imply the marginal effect of presidential strength should be much stronger for vulnerable members than it is for safer members. Again, Table 7.3 shows that this implication accurately describes reality. For representatives with low vulnerability, a 10 percent increase in presidential strength is associated with a 3.3 percent increase in presidential support. Presidential strength has a much stronger effect on members with high vulnerability. For vulnerable

members, a 10 percent increase in presidential strength is associated with a 7.3 percent increase in presidential support.

To give the reader a full appreciation of the substantive effects of presidential strength and member vulnerability in the House, I calculate predicted presidential support scores for three types of members: 1) vulnerable members from constituencies with low presidential vote share, 2) members with mean levels of both vulnerability and presidential vote share, and 3) vulnerable members from constituencies with high presidential vote share.[32] Figure 7.1 presents the results of this analysis. Vulnerable Republicans from districts where President Obama was strong supported his agenda about 13 percent more often than vulnerable Republicans from districts where the president was weak. The numbers are similar for Democrats. Vulnerable Democrats from districts where President Obama was strong had presidential support scores over 15 percent higher than vulnerable Democrats representing districts where the president was weak. In the 111th Congress, vulnerable members of the House from both sides of the aisle were clearly responsive to President Obama's strength in their constituencies.

HEALTH CARE REFORM AND ENERGY REFORM IN THE HOUSE

The voting patterns on health care reform[33] and "cap and trade" energy reform are representative of the voting patterns on most high-profile Obama agenda items in the

[32] Once again, I define "low presidential strength" as one standard deviation below the mean of the presidential strength variable and "high presidential strength" as one standard deviation above the mean. I define "low vulnerability" and "high vulnerability" in the same way. Further, I use the distribution for each party's caucus when calculating the predicted presidential support scores. In other words, when I calculate predicted presidential support scores for Republicans with "high presidential strength" I use a number that is one standard deviation above the mean of the presidential strength variable for Republicans only, and not the entire House.

[33] I investigate the December 2009 final passage vote on President Obama's health care reform bill. The results are similar if one analyzes the May 2010 final passage vote instead.

111th House. For both bills, a large number of Democrats opposed the president's position and voted against the bill. Appendix 7A displays the vote totals for both bills. Thirty-nine Democrats voted against health care reform in December 2009, while 44 Democrats opposed cap and trade energy reform. Due to these large amounts of Democratic votes against his agenda, President Obama often needed Republican votes in order for his agenda items to pass the House. Cap and trade energy reform was one such case. With only 211 Democratic votes in favor of cap and trade energy reform, President Obama needed Republican votes for the bill to succeed in the House. Fortunately for the president, eight Republicans voted for the bill, allowing it to pass in the House.

The combination of constituency influence and electoral incentives explains why so many Democrats voted against the president's position, as well as why some Republicans decided to vote with the president and give sometimes vital support to his legislative agenda. Table 7.4 analyzes the effects of party, constituency influence, and member vulnerability on the final passage votes for both health care reform and energy reform. The analysis finds evidence that the president's strength in members' constituencies affected members' votes on both bills. Moreover, on health care reform the combination of vulnerability and presidential strength also affected members' voting decisions. Votes from Democratic Party members alone were not enough to get an energy reform bill passed through the 111th House, and party alone is not enough to explain members' voting behavior on President Obama's agenda during the 111th House. Instead, we must consider the influence of constituencies and electoral incentives.

Health care reform took the bulk of President Obama's legislative time and energy in 2009 and early 2010. Enacting comprehensive health insurance reform was at the very top of the president's legislative agenda. Three House committees and two

Senate committees reported health care reform bills, and each chamber passed its own version of health care reform. In the end, the bill became law not through a conference committee, but through the reconciliation process. The opposition of dozens of Democratic members of the House is one major reason why health care reform took so long to pass. The combination of constituency influence and electoral incentives explain why so many Democrats opposed President Obama's health care bill. During the high-profile House vote on health care reform in December 2009, over three dozen Democrats voted against the bill. Figure 7.2 displays the substantive effect of presidential strength and member vulnerability on members' probability of supporting the health care reform bill. The probability that a highly vulnerable Democrat representing a constituency where President Obama was weak would vote in favor of the bill is 36 percent less than the probability of an average Democrat voting for the bill's passage. The combination of constituency influence and electoral incentives clearly explains why so many Democrats opposed the president's health care reform bill in December 2009.[34]

After health care reform, cap and trade energy reform was arguably the second priority on President Obama's legislative agenda. While the Senate never voted on an energy reform bill, the House narrowly passed the type of cap and trade energy reform legislation that the president advocated during the campaign. Forty four Democrats opposed the president's energy bill, which meant that in order to get this agenda item through the House, President Obama needed Republican votes. In the end, eight Republicans crossed party lines, providing the president the votes he needed. The president's strength in members' constituencies is strongly related to members' decisions to defect from their party caucus's position on this highly salient vote. Seven of the eight

[34] Presidential strength and member vulnerability have similar effects on members' voting behavior during the reconciliation vote on health care reform in May 2010.

Republican supporters represented districts that President Obama carried in 2008, and all eight were at least somewhat vulnerable. Figure 7.2 shows that the probability that a House Republican representing a constituency with high presidential strength would vote in support of cap and trade energy reform was about 7 percent higher than the probability of an average Republican supporting the bill. On the other side of the aisle, the probability a Democrat from a district with low presidential strength would support the bill is 33 percent lower than the probability that an average Democrat would vote in support of the bill. The president's strength in members' constituencies explains why so many House Democrats opposed this major Obama agenda item, as well as why eight Republicans gave President Obama the votes he needed to pass cap and trade energy reform in the House.

Constituency, Vulnerability, and Presidential Support in the Senate

The House analysis appears to provide strong evidence for both the Constituency Hypothesis and the Vulnerability Hypothesis, but some may question the results because due to the use of the president's constituency-level vote share to measure presidential strength. While this measure is a very good measure of presidential strength for reasons discussed above, it is nonetheless an indirect measure of presidential strength. To overcome this potential obstacle and demonstrate the robustness of presidential strength's effect on members' votes, I use a direct measure of presidential strength for the Senate analysis: the president's popularity in each senators' state as measured by Gallup's annual "State of the States" survey.

Table 7.2 displays the results of the Senate analysis. For senators with average levels of electoral vulnerability, a 10 percent increase in President Obama's popularity in

their state is associated with a 3.8 percent increase in their 2009 presidential support score and a 3.5 percent increase in their 2010 presidential support score. Including the interaction term allows for investigation of the marginal effects of presidential strength for senators at different levels of electoral vulnerability. Table 7.3 demonstrates that a 10 percent increase in state-level presidential popularity is associated with 3 to 4 percent increase in the 2009 and 2010 presidential support scores of electorally safe senators and senators with average levels of electoral vulnerability. These results stand in direct opposition to other studies that find no relationship between presidential popularity and members' votes on the president's agenda items (for example, see Cohen, Bond, Fleisher and Hamman 2000).

While the Senate results suggest that constituency-level presidential popularity influenced senators' propensity to support President Obama's agenda, they provide no evidence for the Vulnerability Hypothesis. Electoral vulnerability had no statistically detectable effect on senators' presidential support scores in the 111th Congress. There are three possible reasons for the absence of statistical evidence for the Vulnerability Hypothesis. First, the low number of observations in the Senate analysis makes it difficult to detect empirical effects. Second, there is less variation for the member vulnerability variable in the Senate than there is in the House (see Appendix 7B). Third, electoral vulnerability may simply not affect senators' voting behavior. Whatever explanation holds true, the empirical results cannot reject the null hypothesis that electoral incentives have no relationship with senators' presidential support scores.

JOBS FOR MAIN STREET AND WALL STREET REFORM IN THE IN THE SENATE

The state of the American economy was the major theme of President Obama's first State of the Union address in January 2010. President Obama urged the Senate to pass a jobs bill that could be merged with the "Jobs for Main Street Act" that the House passed in 2009. Within a month, the Senate responded by passing a $15 billion job stimulus package. In order to invoke cloture and pass this major agenda item through the Senate, President Obama needed Republican votes. The relationship between presidential strength and member voting behavior on presidential agenda items explains why some Republicans decided to cross party lines and give the president this crucial support on both the cloture and final passage votes.

The cloture vote in the Senate marked the first time in 2010 that Senate Democrats received some Republican support on a contentious bill (Bolton 2010). Both President Obama and Harry Reid owe Republican senators from blue states a debt of gratitude for their crucial support on the Senate cloture vote. Newly elected Republican Scott Brown of Massachusetts and three other Republican senators from blue states – Susan Collins and Olympia Snowe of Maine, and George Voinovich of Ohio – voted to invoke cloture and helped President Obama achieve one of the main legislative objectives outlined in his first State of the Union Address.

Figure 7.3 displays presidential popularity's substantive effect on the predicted probability that a senator would respond "aye" on the final passage vote for the Jobs for Main Street bill. Republican senators from states where Obama was strong in 2010 were over 18 percent more likely to vote for the jobs bill than average Republican senators, while Republican senators from states where the president was weak were 15 percent less likely to support the bill than average Republican senators. Presidential popularity played a role in voting decisions on the Democratic side of the aisle as well. The lone

Democrat who voted against both cloture and final passage, Ben Nelson of Nebraska, represents a state where President Obama's approval rating was just 44.7 percent when the votes were taken in 2010.

After passing the Jobs for Main Street bill into law with the help of Republican senators from states where he was strong, President Obama turned his attention to the Dodd-Frank Wall Street Reform and Consumer Protection Act. In the end, the president won congressional approval of a bill that Sen. Bob Corker (R-TN) described as "an out-of-the-park home run" for the Obama Administration (Dennis 2010). As with the Jobs for Main Street bill, the president could not have passed this bill through the Senate without the votes of Republicans where he enjoyed relatively high levels of popularity in 2010. Three Republican senators from states where Obama was strong (Collins, Snowe and Brown) provided the critical votes needed to invoke cloture on the Senate floor. These three senators also voted in support of the president's financial regulation reform bill on the final passage vote. President Obama needed all three votes because Senator Ben Nelson once again voted against the president. Figure 7.3 shows that Republican senators from strong Obama states were 17 percent more likely than average Republicans to support the Wall Street reform bill. Presidential strength in senators' states encouraged some Republicans to vote against their party caucus and vote to pass both the Jobs for Main Street and Wall Street reform bills. Without these Republican votes, President Obama would not have been able to pass these two major agenda items despite the large Democratic majority in the 111th Congress.

CONCLUSION

This chapter argues that President Obama's legislative experience in the 111th Congress shows that party-based theories of presidential coalition building are flawed in two major ways. First, even with President Obama's overwhelming electoral victory and large Democratic majorities in both chambers of the 111th Congress, the majority of agenda items he enacted into law needed Republican votes in order to pass. These Republican votes were necessary because a large number of House Democrats voted against the president's agenda. Second, the analysis presented in this chapter finds that President Obama's strength in members' constituencies was a strong influence on members' voting behavior in the 111th Congress. In the House, presidential strength is an especially important factor in the decision-making process of electorally vulnerable members of Congress.

This dissertation's alternative hypothesis to the conventional party-based wisdom is that presidential strength in members' constituencies is a strong influence on members' voting behavior on presidential agenda items. The case study presented in this paper poses a strong test of the alternative hypothesis. If ever a president could build winning legislative coalitions with votes from presidential party members alone, it would have been President Obama in the 111th Congress. Instead, for the majority of Obama agenda items enacted into law during the 111th Congress, Democratic votes were not enough. In the House, large numbers of Democrats from constituencies where President Obama was weak voted against the president's agenda. In the Senate, with the exception of the nine months between when Arlen Specter changed his party affiliation to become a Democrat in late April 2009 and when the voters of Massachusetts elected Republican Scott Brown in early February 2010, Democrats did not have the 60 votes needed to invoke cloture and overcome Republican filibusters. To accurately describe how President Obama built

successful legislative coalitions in the 111th Congress, as well as how presidents build successful legislative coalitions in general, political scientists must understand and appreciate how constituencies and electoral incentives affect members' voting behavior on presidential agenda items.

Even with solid majorities in both chambers of Congress and an electoral mandate stemming from overwhelming Electoral College victory in 2008, President Obama could rarely enact his agenda items with Democratic votes alone. Instead, he usually needed Republican votes. Thanks to the role that constituency-level presidential strength plays in members' voting decisions, President Obama was often able to gain the votes of Republican members from constituencies with high presidential strength and enact his agenda into law. Constituency-level presidential strength had a particularly strong effect on the voting decisions of electorally vulnerable members of the House. Party politics alone does not accurately explain members' votes on President Obama's agenda in the 111th Congress. Nor does it adequately explain the passage of most of the president's major agenda items. In order to fully understand how President Obama enacted so much of his agenda into law in the 111th Congress, we must appreciate the systematic relationship between constituencies, electoral incentives, and presidential support.

Table 7.1: Obama Agenda Items Enacted into Law in the 111th Congress

Panel A: Obama Agenda Items Enacted in 2009

Bill	Topic	House Vote Total	Democrat Yeas	Need Republican Votes to Pass in House?	Senate Vote Total	Democrat Yeas	Need Republican Votes to Pass in Senate?
S 454	Weapon Systems Acquisition Reform Act of 2009	411-0	246	No	95-0	56	No
HR 2346	Supplemental Appropriations Act, 2009	226-202	221	No	91-5	55	Yes*
HR 1388	Serve America Act	275-149	249	No	79-19	57	Yes*
HR 1256	Family Smoking Prevention & Tobacco Control Act	307-97	237	No	79-17	56	Yes*
HR 2751	FDA Food Safety Modernization Act	298-119	239	No	Voice Vote		No
HR 2847	Hiring Incentives to Restore Employment Act	217-201	211	No	68-29	57	Yes*
HR 1016	Veterans Health Care Budget Reform and Transparency Act of 2009	409-1	242	No	Passed by Unanimous Consent		
HR 2892	Department of Homeland Security Appropriations Act, 2010	307-114	244	No	79-19	57	Yes**
HR 2996	Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010	247-178	237	No	72-28	57	Yes**
HR 2997	Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010	263-162	240	No	76-22	57	Yes**
HR 3183	Energy and Water Development and Related Agencies Appropriations Act, 2010	308-114	238	No	80-17	56	Yes*
HR 3288	Consolidated Appropriations Act, 2010	221-202	221	No	60-36	57	Yes***
HR 3962	Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010	220-215	219	No	Passed by Unanimous		No
HR 3961	Medicare Physician Payment Reform Act of 2009	243-183	242	No	Passed by Unanimous		No
S 1793	Ryan White HIV/AIDS Treatment Extension Act of 2009	408-9	246	No	Passed by Unanimous		No
HR1	American Recovery and Reinvestment Act of 2009	246-183	246	No	60-38	57	Yes*
HR 627	Credit Card Accountability Responsibility and Disclosure Act of 2009	361-64	248	No	90-5	55	Yes**
S 386	Fraud Enforcement and Recovery Act	338-52	224	No	92-4	56	Yes*

Panel B: Obama Agenda Items Enacted in 2010

Bill	Topic	House Vote Total	Democrat Yeas	Need Republican Votes to Pass in House?	Senate Vote Total	Democrat Yeas	Need Republican Votes to Pass in Senate?
HR 2965	Don't Ask, Don't Tell Repeal Act of 2010	250-175	235	No	65-31	57	Yes*
S 3307	Healthy, Hunger-Free Kids Act of 2010	264-157	247	No	Passed by Unanimous Consent		
HR 4994	Medicare and Medicaid Extenders Act of 2010	409-2	243	No	Passed by Unanimous Consent		
HJR 45	Increasing the statutory limit on the public debt.	233-187	233	No	60-39	60	No
HR 2847	Hiring Incentives to Restore Employment Act	217-201	211	No	68-29	57	Yes*
HR 4899	Supplemental Appropriations Act, 2010	308-114	148	Yes	67-28	55	Yes**
HR 4851	Continuing Extension Act of 2010	289-112	240	No	59-38	56	Yes*
HR 5297	Small Business Jobs Act of 2010	237-187	236	No	61-38	59	Yes*
HR 4173	Dodd-Frank Wall Street Reform and Consumer Protection Act	237-192	234	No	60-39	57	Yes*
HR 1586	FAA Air Transportation Modernization and Safety Improvement Act	247-161	245	No	61-39	59	Yes*
HR 4853	Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010	277-148	139	Yes	81-19	44	Yes
Treaty Doc 111-5	START Treaty			N/A	71-26	58	Yes****
HR 4872	Health Care and Education Reconciliation Act of 2010	220-207	220	No	56-43	56	No*****
HR 4213	Unemployment Compensation Extension Act of 2010	272-152	241	No	59-39	57	Yes*
HR 3590	Patient Protection and Affordable Care Act	219-212	219	No	60-39	60	No

*Needed GOP votes to invoke cloture

**Needed GOP votes to withdraw cloture motion by unanimous consent

***Needed GOP votes both to withdraw cloture motion by unanimous consent, and to waive Senate Rule 28 on conference report vote.

**** Needed 2/3rds support (65 votes) to ratify START treaty

***** Passed through the reconciliation process

Table 7.2: *Testing the Constituency Hypothesis and the Vulnerability Hypothesis in the 111th Congress*

	House	**Senate 2009**	**Senate 2010**
Presidential Party	53.4*** (0.89)	40.4*** (2.47)	49.5*** (2.04)
Presidential Strength	53.2*** (3.74)	38.4** (19.3)	35.2** (14.0)
Member Vulnerability	3.42*** (1.23)	-8.42 (5.6)	-0.79 (4.82)
Member Vulnerability * Presidential Strength	67.9**** (8.51)	-9.71 (75.9)	3.46 (55.4)
Constant	25.6 (2.52)	32.1 (31.7)	30.6 (17.6)
Adjusted R^2	0.95	0.82	0.9
N	433	95	96

Notes: Table presents OLS regression estimates. The dependent variable is the member's presidential support score. Presidential Strength coefficients and standard errors are reported at mean level of Member Vulnerability. Member Vulnerability coefficients and standard errors are reported at mean level of Presidential Strength.

*** p<.01, ** p<.05, * p<.1 (two-tailed tests)

Table 7.3: *The Marginal Effect of Vulnerability and Presidential Strength on Presidential Support Scores in the 111th Congress*

	House	**Senate 2009**	**Senate 2010**
Member Vulnerability			
Low Presidential Strength	-6.63***	-7.75	-1.07
	(1.71)	(6.1)	(5.07)
Mean Presidential Strength	3.42***	-8.42	-0.79
	(1.23)	(5.6)	(4.82)
High Presidential Strength	13.5***	-9.1	-0.51
	(1.81)	(8.96)	(7.82)
Presidential Strength			
Low Vulnerability	33.4***	40.4**	34.2*
	(2.99)	(20.2)	(17.5)
Mean Vulnerability	53.2***	38.4**	35.2**
	(3.74)	(19.3)	(14.0)
High Vulnerability	73.0***	36.5	36.1
	(5.6)	(28.3)	(23.3)

Figure 7.1 - Predicted Presidential Support Scores in the House

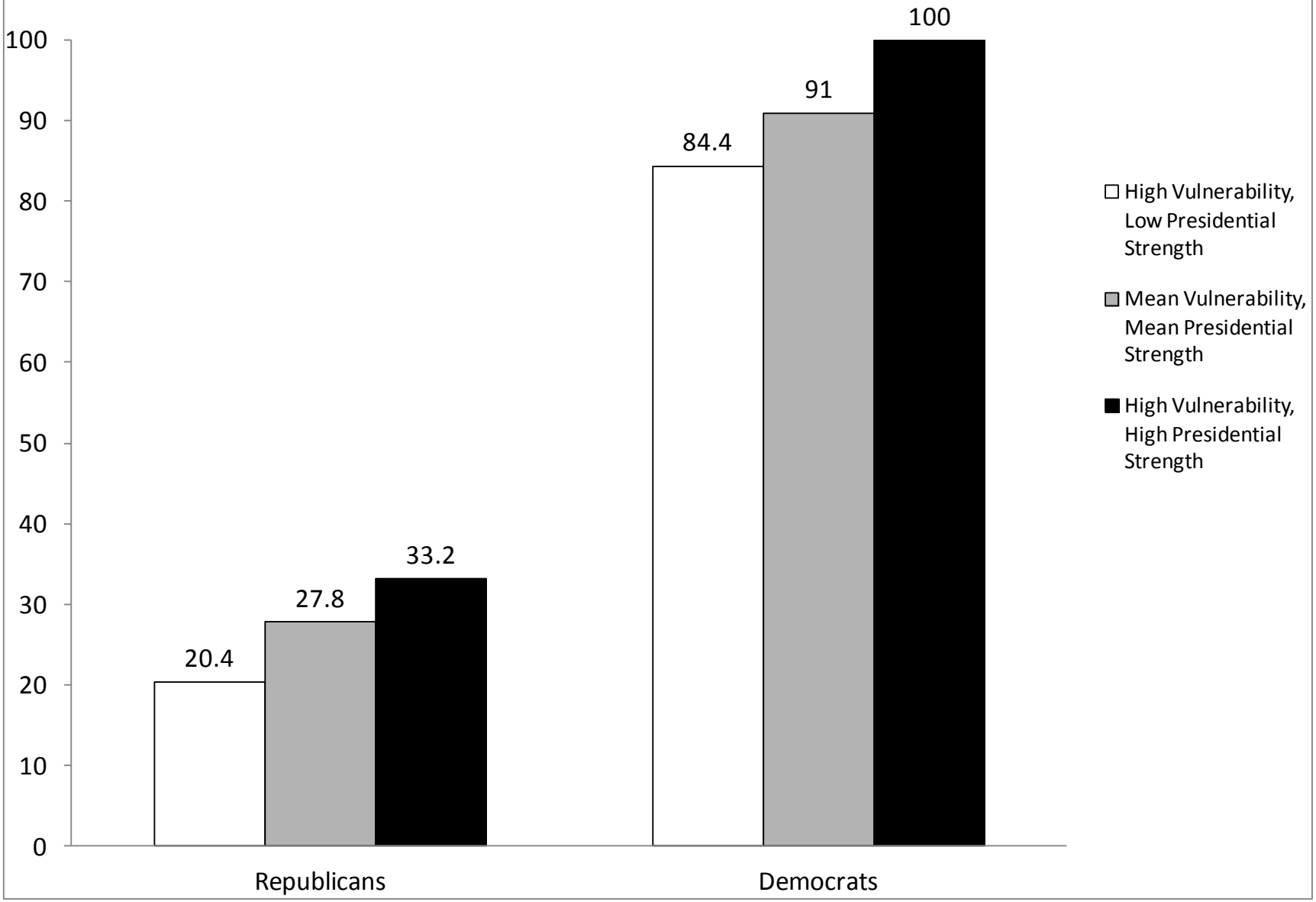


Table 7.4: *Testing the Constituency Hypothesis and the Vulnerability Hypothesis using Members' Votes on High-Profile Obama Agenda Items in the 111th Congress*

Panel A: House of Representatives

	Health Care 12/09	**Climate Bill**
Presidential Party	8.03***	3.45***
	(2.12)	(0.47)
Presidential Strength	27.4***	18.4***
	(4.2)	(2.54)
MOC Vulnerability	0.47	0.7
	(0.93)	(0.67)
Vulnerability * Presidential Strength	20.6***	10.7
	(9.96)	(6.6)
Constant	-14.3	-8.86
	(3.21)	(2.02)
N	435	431

Panel B: Senate

	Jobs For Main Street	**Wall St Reform**
Presidential Party	4.32***	6.73***
	(1.09)	(1.56)
Presidential Strength	12.0*	29.4**
	(6.74)	(14.6)
MOC Vulnerability	0.94	-2.75
	(2.21)	(2.82)
Vulnerability * Presidential Strength	0.11	-16.3
	(31.3)	(69.6)
Constant	-6.94	-20.6
	(10.7)	(28.2)
N	93	94

Notes: Table presents logistic regression estimates. The dependent variable is an indicator variable that equals 1 if the member voted with President Obama's position. Presidential Strength coefficients and standard errors are reported at mean level of Member Vulnerability. Member Vulnerability coefficients and standard errors are reported at mean level of Presidential Strength.

*** p<.01, ** p<.05, * p<.1 (two-tailed tests)

Figure 7.2 - Predicted Probability of Supporting Obama Agenda Items in the House

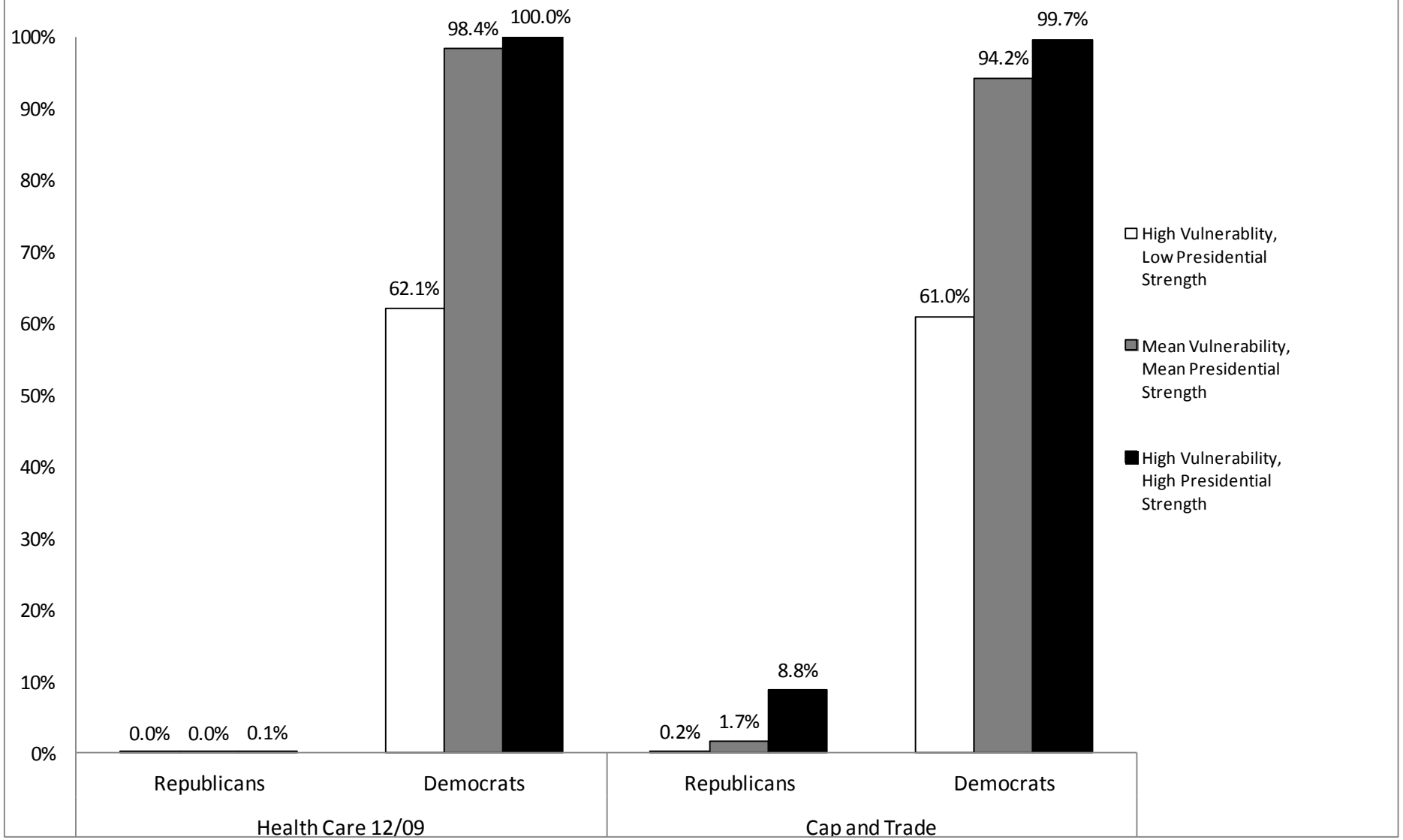
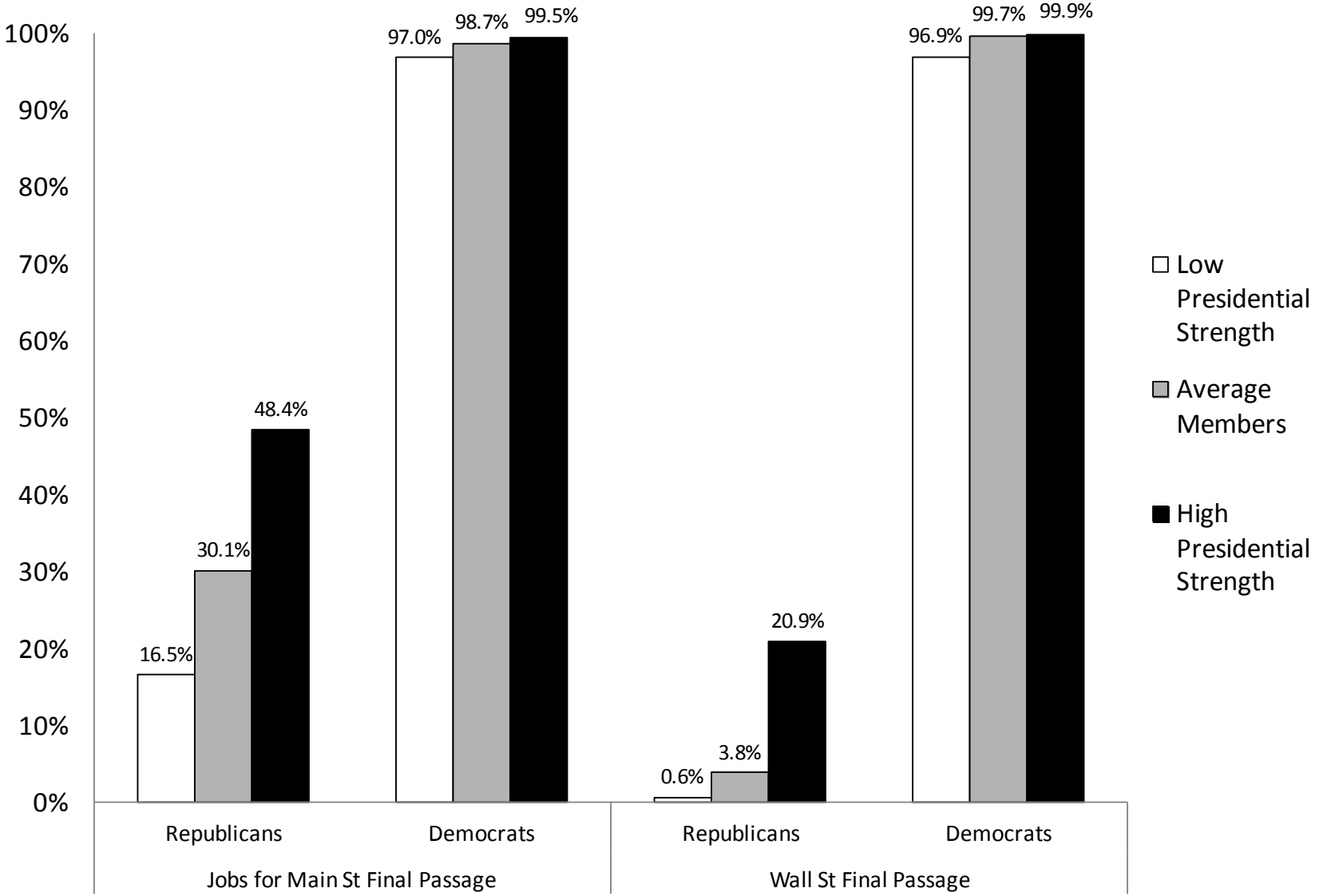


Figure 7.3 - Predicted Probability of Supporting Obama Agenda Items in the Senate



Appendix 7A: Vote Totals on Selected Obama Agenda Items

Panel A: House of Representatives

	Health Care 12/09		**Climate Bill**	
	Yea	*Nay*	*Yea*	*Nay*
All	220	215	219	212
Democrats	219	39	211	44
Republicans	1	176	8	168

Panel B: Senate

	Jobs for Main St		**Wall St Reform**	
	Yea	*Nay*	*Yea*	*Nay*
All	70	28	60	39
Democrats	57	1	57	1
Republicans	13	27	3	38

Appendix 7B: Distribution of Presidential Support Scores, Presidential Strength and Member Vulnerability in the 111th Congress

Presidential Support Scores

	House			*Senate*		
	All	Democrats	Republicans	All	Democrats	Republicans
Minimum	8	50	8	27	77	27
25th %tile	26	90.5	17	51.5	95.5	42.5
Mean	65.3	92.4	26.8	77.9	95.7	51.3
75th %tile	96	97	35	97	97	58.5
Maximum	100	100	68	100	100	85

Presidential Strength

	House			*Senate*		
	All	Democrats	Republicans	All 2009	Democrats 2009	Republicans 2009
Minimum	0.22	0.32	0.22	0.48	0.52	0.48
25th %tile	0.43	0.53	0.38	0.58	0.61	0.53
Mean	0.54	0.62	0.43	0.62	0.65	0.58
75th %tile	0.63	0.7	0.48	0.67	0.71	0.65
Maximum	0.95	0.95	0.75	0.76	0.76	0.72
				All 2010	Democrats 2010	Republicans 2010
Minimum				0.3	0.36	0.3
25th %tile				0.45	0.49	0.43
Mean				0.5	0.53	0.45
75th %tile				0.56	0.59	0.5
Maximum				0.72	0.72	0.59

Member Vulnerability

	House			*Senate*		
	All	Democrats	Republicans	All	Democrats	Republicans
Minimum	0	0	0	0	0	0
25th %tile	0.48	0.38	0.45	0.64	0.62	0.65
Mean	0.6	0.53	0.7	0.74	0.74	0.73
75th %tile	0.82	0.75	0.85	0.89	0.89	0.9
Maximum	1	1	1	1	1	0.99

Chapter 8: Constituency, Electoral Incentives, and Presidential Coalition Building

The dominant theoretical explanations of presidential coalition building in the American system focus on party politics and ideology as the keys to presidential success in Congress. Party-based theories argue that a president's success in Congress increases as the numbers of congressional seats held by the president's party increase. Ideology-based theories hold that ideological considerations dictate which members defect from their party caucus on presidential agenda votes. The previous chapters find that party alone cannot explain how presidents build successful legislative coalitions. Furthermore, ideology-based explanations are incomplete because it is impossible to empirically separate members' personal preferences from their operative preferences, which are those preferences that guide members' voting decisions after taking into account the influence of outside forces such as constituents, presidents, interest groups, and electoral incentives.

This study began by presenting three puzzling empirical facts that arise from party-based theories of presidential coalition building. First, due to the fact that members of the president's party often vote against the president's position, presidents almost always end up needing opposition party votes in order to pass major agenda items. Of the twenty seven pieces of "landmark legislation" championed by the president and enacted by Congress between 1946 and 2008, twenty-six were dependent upon votes from opposition party members to become law. The first puzzling empirical fact is that presidential party members often vote against the president's agenda, while members of the opposition party often provide the president with the critical votes needed to build majority coalitions and pass important legislation into law.

Second, the president's legislative success rates often vary widely within individual congresses, such as in the 89th Congress when LBJ's legislative success rate decreased by 11 percent from 1965 to 1966 and Congress enacted about 100 fewer of LBJ's legislative requests. Party-based theories do an adequate job explaining the variation in presidential success rates across congresses, but they cannot explain the within congress variation in presidential success rates. In short, party-based theories work well at the macro level (comparing congresses), but fail at the micro level (understanding how individual bills become law). The second puzzling empirical fact is that the success of the president's coalition building efforts often varies substantially between sessions in individual Congresses, despite identical levels of partisan strength in both sessions.

Third, presidents often have similar success rates in both unified and divided government. For example, party-based theories cannot explain why Richard Nixon in divided government during the 91st Congress had a similar legislative success rate as Jimmy Carter did in the 96th Congress during unified government. The third puzzling empirical fact is that presidents in unified and divided government often have similar success rates despite the fact that presidents in unified government enjoy partisan majorities in both chambers of Congress, and should be more successful according to party-based theories of presidential coalition building.

This dissertation presents an argument that helps solves the puzzles presented by the current party-based conventional wisdom. This argument also helps fill in the black box of "ideology," which is traditionally measured using a summarized voting score that cannot distinguish between members' personal preferences and their operative preferences. I argue that constituency-level presidential strength combines with members' electoral incentives to make some members of Congress systematically more

likely to vote against their party caucus's position on presidential agenda votes. First, members of the president's party from constituencies where the president is weak will vote against the president more often than other presidential partisans, while opposition party members from constituencies where the president is strong will vote with the president more often than other opposition party members. Second, vulnerable members of both parties with these types of "cross-pressured" constituency influences will be more likely to vote against their party caucus's position. Third, safe members of Congress have greater freedom in their voting behavior than others. The voting behavior of these three types of members helps decide whether the president's coalition building efforts will be successful or not. Along with party, the combination of constituency-level presidential strength and electoral incentives hold the key to successful presidential coalition building.

MAIN FINDINGS

I test three hypotheses that examine how constituencies and electoral incentives systematically affect members' voting behavior. The Constituency Hypothesis holds that as the president's strength in a member's constituency increases, the likelihood that the member will vote with the president increases as well. The Vulnerability Hypothesis maintains that the votes of electorally vulnerable members of Congress will be especially in tune with the president's standing in their constituencies. The Safety Hypothesis suggests that as members become safer electorally, they have greater freedom in their voting behavior. I test these hypotheses using members' presidential support scores from 1957 to 2007, members' votes on final passage and veto override attempts during

challenged vetoes, an investigation of LBJ's legislative experience from 1964 to 1968, and a case study of the 111th Congress.

The Constituency Hypothesis

The Constituency Hypothesis investigates the relationship between constituency-level presidential strength and members' votes on the president's agenda. The analysis reveals a strong relationship between constituency-level presidential strength and members' votes on both the president's overall agenda and vote switching during challenged vetoes. The relationship between presidential strength and member voting behavior is especially strong in the modern, highly polarized era in executive-legislative relations. Despite the current focus on party polarization, members of Congress can and do vote against their party caucus's position on presidential agenda votes. This defection from the party caucus is often the result of the constituency's influence on members' voting behavior. The empirical analysis of representatives' presidential support scores in the House presented in Chapter 4 finds that a 10 percent increase in the president's vote share in a member's district is associated with a 5.8 percent increase in a member's presidential support score. The relationship operates similarly in the Senate, where a 10 percent increase in the president's vote share in a senator's state is related with a 4.9 percent in a senator's presidential support. These relationships hold after controlling for the effects of party and ideology.

The president's strength in members' constituencies makes members systematically more or less likely to vote for the president's program. Constituency influence thus helps explain the first puzzling empirical fact that rises from party-based theories of presidential coalition building: the president almost always needs the votes of

opposition party members to pass his agenda into law, either because his party does not have the necessary majorities to pass bills or because members of the president's party decide to vote against the president's position. Some members of the president's party vote against his agenda items because he is weak in their constituencies, while some opposition party members end up providing the president with the votes he needs to enact his agenda because their constituents demand it.

Constituencies also influence some members' voting behavior on challenged vetoes, when the president vetoes a bill and Congress attempts to override the president's veto. Challenged vetoes offer ideal opportunities to investigate the difference between members' personal preferences and their operative preferences. Vetoes increase the salience of the bill and the policy debate, and thus increase constituency influence on members' votes. This increased constituency influence changes members' operative preferences and causes some members to switch their votes between final passage and the veto override attempt.

Empirical evidence for constituency influence on members' votes during challenged vetoes exists in the House, but not the Senate. In the House, the probability that a presidential party member from a district where the president is strong will switch their votes and join the president's coalition on veto override attempt is 9 percentage points higher than if that member represented a district where the president is weak. Conversely, the probability that an opposition party member from a district where the president is weak will switch their vote and defect from the president's coalition on veto override attempts is about 6 percentage points higher than the probability of defection by a member representing a district where the president is strong. High constituency-level presidential strength helps the president win votes from his partisans in the House during veto override attempts. It can also help discourage opposition party members from

defecting from the president's coalition during veto override attempts. Of course, low constituency-level presidential strength has the opposite effect. Low presidential strength in the constituency can discourage presidential party members from joining his coalition during veto overrides and encourage opposition party members to defect from his veto coalition. Constituency-level presidential strength clearly affects vote switching during challenged vetoes; whether that relationship helps or hurts the president is dependent on whether he is strong or weak in a member's constituency.

In addition to explaining aggregate trends in presidential coalition building, the Constituency Hypothesis also helps explain the legislative experience of President Lyndon Baines Johnson and President Barack Obama. During LBJ's time in office, Republicans from constituencies where he was strong tended to support the president at higher rates than Democrats from constituencies where he was weak. This constituency effect occurs in both the House and the Senate. Further, it helps explain why Johnson's legislative agenda stalled in 1966 and 1967, and then regained momentum in 1968. Republicans from states and districts where President Johnson was strong provided the president with critical votes in 1968 during the 2nd session of the 90th Congress. The average cross-pressured House Republican voted in support of the president's over 50 percent of the time in 1968 while the average cross-pressured Senate voted with the president about 48 percent of the time. These Republicans, and their constituents, were the key to Johnson's legislative resurgence in 1968.

The strength of constituency influence also provides insight into Barack Obama's experience with the 111th Congress. President Obama entered office with the biggest electoral victory by a Democrat since LBJ. He also enjoyed large Democratic majorities in both chambers of Congress. Despite these political advantages, the president had a surprisingly hard time enacting his top legislative priority, health care reform, into law.

Moreover, he failed to enact his second and third legislative priorities, cap-and-trade energy reform and immigration reform, into law. In the House, large numbers of Democrats defected from their party caucus's position and voted against the president's agenda again and again. Between thirty and fifty House Democrats voted against the president's position on health care reform, cap-and-trade energy reform, the Jobs for Main Street bill, the Dodd-Frank Wall Street reform bill, and many other Obama agenda items. These Democrats almost always represented constituencies where President Obama was weak. In the face of these Democratic votes against his agenda, the president could not get much of his agenda through the House without Republican votes.[35] House Republicans from constituencies where the president was strong provided these crucial votes on cap-and-trade, Jobs for Main Street, Dodd-Frank, and other important Obama agenda items. The story of the House during the 111th Congress cannot be told without including the influence of constituencies on members' votes.

The story of the Senate during the 111th Congress also hinges on constituency influence. Senate Democrats usually voted with their party caucus's position on the president's agenda, but Democratic votes were usually not enough because Democrats did not always have the sixty votes required to invoke cloture.[36] Fortunately for both Senate Democrats and President Obama, Republican senators from states where the president was strong had incentives to support the president and join the Democrats on both cloture and final passage votes. Republican senators from blue states thus held the key to the success or failure of President Obama's legislative agenda during most of the 111th Congress.

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[35] Health care reform was the exception to this trend.

[36] Senate Democrats did have more than sixty senators in their caucus during the seven months between Arlen Specter's decision to caucus with the Democrats and Scott Brown's election to fill Teddy Kennedy's open seat. The power of this "filibuster-proof" Democratic Caucus was limited because Senators Byrd and Kennedy were often absent due to illness during these seven months.

The Vulnerability Hypothesis

The Vulnerability Hypothesis, by maintaining that vulnerable members of Congress are more attentive to their constituencies than safer members of Congress, suggests that electoral vulnerability is a key to effective representation in the American democratic republic. The empirical tests of the Vulnerability Hypothesis explore how electoral incentives affect members' attention to their constituents on presidential agenda votes. The analysis suggests that vulnerable members of Congress, especially vulnerable members of the House, are more sensitive to the president's strength in their constituency on presidential support votes as well as challenged vetoes.

Vulnerable members of Congress are quite responsive to their constituents' opinion of the president. This sensitivity to constituent preferences causes many members of the president's party to vote against his agenda. In the period from 1984 to 2007, the average presidential support score of a vulnerable member of the president's party from a constituency with low presidential strength was more than 20 percentage points lower than the average score of a presidential party member who represented a district where the president was strong. Vulnerability had an even stronger effect on opposition party members. The average presidential support score of an opposition party member from a constituency where the president was strong was more than 30 percentage points higher than an average opposition party member from a constituency with low presidential strength. In sum, the combination of electoral vulnerability and constituency-level presidential strength had an effect of 20 to 30 percentage points on members' presidential scores. This effect is almost as strong as party's effect of about 36 percentage points. Vulnerable members of Congress are clearly responsive to

constituency-level presidential strength when deciding how to vote on the president's agenda.

Vulnerability also affects member behavior on challenged vetoes. Specifically, the combination of vulnerability and presidential strength helps explain why some members of the president's party are systematically more likely to switch votes and join the president's coalition on veto override attempts in the House. The probability that a vulnerable member of the president's party who represents a constituency where the president is strong will become a "presidential joiner" is more than 8 percentage points higher than the probability of a similarly vulnerable member from a constituency where the president is weak will switch votes and join the president's coalition during the veto override attempt.

Understanding how electoral incentives affect the voting behavior of vulnerable members of Congress also sheds light on the legislative experiences of President Lyndon Baines Johnson and President Barack Obama. During the Johnson and Obama presidencies, vulnerable Democrats from constituencies where these presidents were weak often voted against his positions. As a result, LBJ and Obama often needed Republican votes in order to enact their agenda items into law. Vulnerable Republicans representing constituencies where these presidents were strong often provided LBJ and Obama with the votes they needed to enact their agenda items despite Democratic defections from their legislative coalitions. More often than not, the combination of electoral vulnerability and constituency-level presidential strength causes members of the president's party to vote against his agenda. Due to these Democratic defections, the success or failure of President Johnson's and President Obama's legislative agenda laid in the hands of Republican members of Congress.

The votes of vulnerable Republicans representing constituencies with high presidential help account for President Johnson's legislative success in 1964 and 1965, as well as his troubles in Congress during 1966 and 1967. Moreover, supportive votes from vulnerable Republicans in the House and Senate helped President Johnson regain legislative momentum in 1968 and pass landmark legislation into law. The voting behavior of certain vulnerable Democrats stalled the Johnson agenda in 1966 and 1967, while the voting behavior of certain vulnerable Republicans revived the Johnson agenda in 1968.

The voting behavior of vulnerable members also played a role in President Obama's legislative experience during the 111th Congress. Despite President Obama's overwhelming electoral victory in 2008, a large number of vulnerable Democrats had electoral incentives to vote against the president because he was weak in their constituencies. The average presidential support score of vulnerable House Democrats from districts where President Obama was weak was around 16 percentage points less than the average presidential support score of vulnerable Democrats from districts where President Obama was strong. Moreover, on high-profile Obama agenda votes such as health care reform and cap-and-trade energy reform, the probability of a vulnerable Democrat representing a district where President Obama was weak voting with the president's position was almost forty percentage points less than the probability of an average Democrat voting to support the president's position.

Vulnerable House Democrats from constituencies with low presidential strength presented a huge roadblock for the Obama agenda during the 111th Congress. These Democrats routinely voted against Obama's position, especially on high-profile votrs. Because these Democrats often voted against the Obama agenda so often, the president did not have enough Democratic votes to pass much of his agenda into law without

attracting some Republican votes. Vulnerable Republicans from constituencies where President Obama was strong provided these votes in both the House and the Senate. These Republican votes were especially important in the Senate because the president and his Democratic allies often needed to invoke cloture in order to end Republican filibusters. Vulnerable Republicans from blue states with familiar names due to their prominence in both media reports and policy outcomes provided President Obama with crucial votes on the Jobs for Main Street bill, the Dodd-Frank financial reform bill, and other important Obama agenda items. These Republican votes usually came from Olympia Snowe and Susan Collins of Maine, Scott Brown of Massachusetts, or Arlen Specter of Pennsylvania, before his electoral incentives caused him to go so far as to switch parties and caucus with the Democrats in May 2009.

Vulnerable members of Congress clearly vote differently than other members. This difference is especially stark in the House of Representatives. As political scientists and pundits follow the legislative process and attempt to predict its outcomes, they must keep the behavior of vulnerable members in mind. As increasing numbers of vulnerable members of the president's party begin to vote against his agenda, it suggests that the president is in trouble in both Washington and the nation. On the other hand, increased support from vulnerable members of the opposition party suggests that the president has a better chance to enact his agenda into law. The road to successful presidential coalition building often runs through maintaining the support of vulnerable, cross-pressured members of the president's party and attracting the votes of vulnerable, cross-pressured members of the opposition party

The Safety Hypothesis

The Safety Hypothesis predicts that safe members of Congress will show the most variability in their votes on presidential agenda items. In short, safe members of Congress are "wild cards" because their electoral safety allows them greater freedom from constituency influence. I find consistent evidence that safe members of Congress are less tied to their constituencies than more vulnerable members on presidential agenda votes. The analysis of presidential support scores finds that the relationship between constituency-level presidential strength and presidential support is weaker for safe members of Congress than it is for more vulnerable members. In the House, a 10 percentage point increase in presidential strength in a vulnerable member's district increases that member's presidential support score by 7 percentage points. In contrast, a 10 percentage point increase in presidential strength in a safe member's district results in just a 4 percentage point increase in the member's presidential support score. The difference is even starker in the Senate, where a 10 percentage point increase in state-level presidential strength is associated with a 5.5 percentage point increase in the presidential support scores of vulnerable senators, and just a 2 percentage point increase in the presidential support scores of safe senators. Greater electoral safety results in greater freedom from constituency influence on members' voting behavior. As a result, the relationship between constituency-level presidential strength and presidential support is much weaker for safe members of Congress than it is for other members.

Safe members of Congress also behave differently than other members on challenged vetoes. In both the House and the Senate, safe members of the president's party are more likely to become "presidential joiners" and switch their votes between final passage and veto override attempts in order to join the president's coalition. In the both chambers of Congress, one out of every five safe members of the president's party

who vote against his position on the final passage vote end up switching their votes on veto override attempts and voting with the president. Safe presidential party members of the House who represent constituencies where the president is strong have an even greater probability of switching their votes and joining the president's coalition during veto override attempts. The probability of a safe presidential party member from a constituency with high presidential strength becoming a presidential joiner is 24.7 percent. All else equal, safe members of Congress are more likely to switch their votes and become presidential joiners on challenged vetoes. Safe members help presidents build the coalitions they need to sustain vetoes.

The Safety Hypothesis also helps explain President Johnson's coalition building activities in Congress. Votes from electorally safe House Republicans, and Senate Republicans not up for reelection, were vital to President Johnson's legislative resurgence in 1968. These Republicans, on average, voted in support of the Johnson agenda more often than their Democratic counterparts who also enjoyed electoral safety. Moreover, the twenty-six Senate Republicans who were not up for reelection in 1968 had a higher average presidential support score (about 51 percent) than the average Senate Democrat (about 48 percent). President Johnson would not have regained his legislative momentum in 1968 and passed landmark legislation such as the Fair Housing Act of 1968 without the support of electorally safe Republican members of Congress.

In sum, the empirical analyses presented in this dissertation suggest that constituency influences and electoral incentives have systematic effects on members' votes on the president's agenda. Constituency-level presidential strength makes some members of the president's party systematically more likely to vote against his position. Conversely, constituency-level presidential strength makes some members of the opposition party more likely to vote in support of the president's agenda. Vulnerable

members of Congress are particularly sensitive to constituency influence because these members' electoral incentives compel them to give great weight to constituency preferences when deciding how to vote. On the other hand, electorally safe members of Congress have more freedom to vote against their constituents' preferences.

As a result of the great influence of constituency-level presidential strength and electoral incentives, the votes of cross-pressured members of Congress and safe members of Congress are key to presidential coalition building. As more of these members vote with the president's position, the president is more likely to enact his agenda into law. As more of these members vote against the president, his agenda has a lower chance of success. In order to understand whether presidents will succeed or fail at enacting their agenda, we must monitor the behavior of members with different constituency influences and electoral incentives.

THEORETICAL IMPLICATIONS

This study makes four theoretical contributions to the political science literature. First and foremost, it provides a comprehensive explanation of how presidents build the legislative coalitions they need to enact their agenda into law. While party-based theories explain the variation in presidential success compared across congresses, they cannot explain the passage of almost all of the "landmark legislation" enacted between 1945 and 2008. In short, if we wish to understand the coalitions that form to enact individual bills into law, we need something more nuanced and comprehensive than party-based explanations. This study provides that nuanced and comprehensive explanation. Presidents build successful enacting coalitions upon a large base of votes from their party members, but usually need to augment this base with votes from opposition party

members. These opposition party members will be either members from constituencies where the president is strong or they will be electorally safe members who have greater freedom in their voting behavior. Presidential party members from constituencies where the president is weak will often vote against his agenda. As a result, the president almost always needs votes from opposition party members in order to enact his agenda into law. This study explains whom those opposition party members will be, and why they might decide to give the president their votes.

Second, this inquiry helps resolve the scholarly debate over "the presidential party hypothesis." This hypothesis is a point of great contention in the political science literature. One side of the debate finds that presidential popularity causes members to respond more favorably to the president (Edwards 1976, 1978, 1980, and 1997; Ostrom and Simon 1985; Rivers and Rose 1985; Rohde and Simon 1985; Brace and Hinckley 1992). The other side argues that the relationship between presidential popularity is sometimes statistically significant, but always substantively meaningless (Bond and Fleisher 1984; Bond, Fleisher and Northup 1988; Edwards 1989; Mouw and MacKuen 1992; Collier and Sullivan 1995) and that controlling for party and ideology makes the relationship disappear entirely (Bond and Fleisher 1980, 1990).

This dissertation argues that the debate over the presidential popularity hypothesis is caused by a fundamental flaw – scholars are looking at the wrong type of presidential popularity. Most scholarly analyses use the president's strength in the nation as a whole to measure whether presidential popularity affects members' votes on the president's agenda. I argue that it is the president's strength in members' constituency that truly affects members' votes. The empirical analyses presented throughout this dissertation consistently find that constituency-level presidential strength systematically affects member voting behavior on presidential agenda items. It is the president's popularity in

members' constituencies, not the nation at large, that affects the president's ability to build successful legislative coalitions.

Third, the findings also clarify debate over "the marginality hypothesis." Scholars debate whether electorally marginal members of Congress behave differently than other members of Congress. Most assume that marginal members will become ideological moderates in order to capture the median voter and expand their base of electoral support. As with the presidential popularity hypothesis, debate exists over the marginality hypothesis due to a fundamental flaw in scholars' assumptions. The assumption that marginal members will become moderates is fundamentally flawed for a simple reason: not all constituencies are moderate.

Instead of assuming that marginal members will become ideological moderates, I assume that marginal members will be responsive to their constituencies. I use constituency-level measures of presidential support to investigate whether vulnerable members of Congress behave differently than safe members on presidential agenda votes. This study is the first study to investigate whether marginal members vote differently than other members on the president's agenda, an investigation that is often called for in discussions of executive-legislative relations (Edwards 2009). Using constituency-level measures of presidential strength clarifies the marginality hypothesis. In comparison to safer members of Congress, marginal members do vote differently. Vulnerable members of Congress are especially responsive to their constituency on presidential agenda items. Marginal members wish to cast roll-call votes on the floor of Congress that will win them a plurality of their electorates' votes on the next Election Day. They attempt to cast such roll-call votes by following their constituency's lead on presidential agenda items.

Finally, this dissertation helps unpack the black box of "ideology." Lee (2009) began unpacking this black box. She demonstrates that using NOMINATE scores, which

are simply summarized voting scores, to measure members' personal ideologies is questionable at best because the majority of the issues that Congress votes on are non-ideological items. In my view, the main problem with using a summarized voting score to measure members' ideologies is that roll-call votes measure members' operative preferences, those preferences that guide members' votes after taking into account all the influences on those votes. These influences include constituencies, presidents, interest groups, and electoral incentives in addition to members' personal preferences. This dissertation finds that members' votes on the president's agenda are strongly influenced by constituent preferences. This influence is especially strong on vulnerable members of Congress. As a result, when political scientists and pundits discuss the votes of "moderate" Republicans and Democrats on presidential agenda items, what they often mean is "Republicans who represent constituencies where the Democratic president is strong" and "Democrats who represent constituencies where the Republican president is weak." For example, the House Republicans whose votes allowed President Obama's cap-and-trade energy policy do not necessarily vote for the bill because it fit their personal preferences. They voted for the bill because their constituents wanted them to, and they faced potential electoral repercussions if they did not heed their constituents' preferences on such a high-profile vote.

POLICYMAKING IMPLICATIONS

The findings presented in this dissertation have three implications for the speed and content of policy outputs in the American political system. First, policy outputs will almost always be moderate and incremental. We need look no further than President Obama's Affordable Health Care Act for an example. Contrary to the hopes of many

who voted for Obama in 2008, the president did not enact universal health care or a similarly liberal policy as he promised on the campaign trail. The president failed to produce such a liberal policy output for a simple reason. He couldn't. A large number of Democrats had electoral incentives to vote against the major policy proposal of a president who was weak in their constituencies. In order to keep the votes of enough of these Democrats and actually enact *something* into law, President Obama had to moderate his previous promises. Despite the soaring rhetoric of the Obama campaign and the large Democratic majorities in Congress, many members of the president's party were electorally vulnerable and represented districts where the president was either weak or only moderately strong. In order to secure the votes of as many of these members as possible, President Obama had to propose a relatively moderate bill and accept changes that made the bill even more moderate.

The second policymaking implication of this study deals with the speed of policymaking. Simply put, policymaking will almost always take a long time. Presidents almost always need to convince members of Congress that a vote for the president's agenda serves their electoral interests. Presidents cannot simply command their party members to vote for the presidential agenda. Instead, they must either keep the votes of presidential partisans who are on the fence or secure the votes of opposition party members from constituencies where the president is strong.

Finally, this study implies that once policies are enacted into law, it will be difficult to change them. Even after Republicans tea partied their way into control of the House of Representatives after the 2010 elections, they could not reverse President Obama's health care reform bill or the Dodd-Frank Act as they had promised on the campaign trail.

The campaign promises of all presidents inevitably meet the empirical reality of Congress. The realities of presidential coalition building dictate that policymaking will take a long time, policy changes will be difficult to enact, and most policy changes will be moderate and incremental. These realities are especially stark in our increasingly polarized era. Many presidential party members have electoral incentives that cause them to vote against the president, and thus presidents need to present relatively moderate policies in order to attract the votes needed to enact their agenda into law. Even when presidents present such moderate policies, "cross-pressured" members of the opposition party may be slow to support them as these members carefully weigh whether voting with the president serves their electoral interests.

The president must put on a balancing act and walk a moderate, incremental tightrope in order to keep the votes of as many of his congressional partisans as possible and attract the votes of enough opposition party members to offset defections by presidential party members. This task is increasingly difficult in the modern, polarized era. Opposition party members from constituencies where the president is strong often hold the key votes that determine whether presidential coalition building will succeed or fail. The problem for presidents is that fewer of these "cross-pressured" opposition party members now exist. In the past, presidents had a larger universe of "cross-pressured" opposition party members from which to work. For example, President Johnson had 34 Republican senators from Johnson states in the 89th Congress (1965-7). In contrast, just ten Republican senators represented states that Obama won in 2008. The realities of presidential coalition building in the polarized era dictate that policy change will be moderate, incremental, slow, and difficult.

NORMATIVE IMPLICATIONS

The Founders created a system based upon representation, democratic accountability, and the idea that elections created a legitimate democratic republic. The findings of the empirical analyses presented in this dissertation suggest that these normative ideals are alive and well more than 200 years after the ratification of the Constitution. The Constituency Hypothesis suggests that members of Congress often represent their constituencies over their political parties. Even in these highly polarized times, members' votes on the president's agenda are strongly related to the president's strength in their constituencies. This relationship suggests that norms of constituency representation are still present in the American political system.

The Vulnerability Hypothesis and Safety Hypothesis speak to the presence of democratic accountability in the American system. Elections allow constituents control over their members of Congress. As members become more electorally vulnerable, they also become more responsive to their constituents' opinion of the president. The Safety Hypothesis suggests that as members of Congress become safer electorally, their votes on the president's agenda are less in line with the president's strength in their constituency.

Vulnerability holds the key to democracy. Constituencies influence the votes of vulnerable members of Congress more than the votes of safer members. This relationship between electoral incentives and member voting behavior on presidential agenda items suggests that citizens should care deeply about the effects of partisan redistricting in the states. The results of this study suggest that the quality of representation on presidential agenda items may decrease if partisan redistricting efforts result in gerrymandered districts and safer representatives. Electorally vulnerable members of Congress pay closer attention to the constituencies on presidential agenda items. Electoral competition is essential to the health of democratic representation in the United States.

Democratic accountability is not only present in the American Congress. It is present in the American presidency as well. As the American people become less satisfied with the president, their representatives in Congress will be less likely to vote for the president's agenda. Thus, the relationship between constituency, electoral incentives, and members' votes on the president's agenda keeps both members of Congress and the president accountable to the American people.

The relationship between constituency, electoral incentives, and members' votes on the president's agenda also helps keep the system legitimate in the eyes of American citizens. Voters see that their members of Congress behave in accordance with their wishes and will help or hinder the president accordingly. This helps citizens view the political system as a legitimate way to settle disputes. Furthermore, voters know that if their members of Congress do not heed their constituencies, they will be voted out in the next election. This study presents something that Americans need – an optimistic, yet realistic, view of the American political system that finds that what some call gridlock is actually the healthy presence of representation and democratic accountability.

THE COALITION-CREATING CONSTITUTION

The Constitution compels presidents to build legislative coalitions in order to pass their political agendas. The Constitution also compels members of Congress to be responsive to their constituencies or risk losing their seats in the next election. This facet of the constitutional design helps presidents build legislative coalitions. The president's strength in members' constituencies affects members' decisions to vote for or against the president's agenda on the floor of Congress. This systematic relationship between

constituency-level presidential strength and members' presidential support is especially pronounced for electorally vulnerable members.

The relationship between Congress and the president lies at the heart of the American political system. The relationship between constituency-level presidential strength, electoral incentives, and member voting behavior on presidential agenda items is a testament to the presence of representation and democratic accountability in American politics. When voting on the president's agenda, members of Congress represent their constituency's preferences in an attempt to avoid being held accountable in the next election. As members become more vulnerable and the threat of defeat increases, they are especially responsive to their constituents. With representation and democratic accountability present, the people's will flows like blood through the heart of the American system.

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